

Civil Service Rules, 2050 (1993)

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Amendments:

1. Civil Service (First Amendment) Rules, 2050 (1993) 2050.7.3 (19 Oct. 1993)
2. Health Service Rules, 2055 (1999) 2055.9.19 (3 Jan. 1999)
3. Civil Service (Second Amendment) Rules, 2056 (1997) 2056.4.27 (11 Aug. 1997)
4. Civil Service (Third Amendment) Rules, 2059 (2003) 2059.10.23 (6 Feb. 2003)
5. Civil Service (Fourth Amendment) Rules, 2060 (2003) 2060.9.10 (25 Dec. 2003)
6. Civil Service (Fifth Amendment) Rules, 2061 (2004) 2061.5.28 (13 Sept. 2004)
7. Civil Service (Sixth Amendment) Rules, 2061 (2005) 2061.12.1 (14 March 2005)
8. Civil Service (Seventh Amendment) Rules, 2064 (2006) 2064.8.20 (6 Dec. 2006)
9. Civil Service (Eighth Amendment) Rules, 2067 (2010) 2067.5.15 (31 Aug. 2010)

In exercise of the powers conferred by Section 75 of the Civil Service Act, 2049 (1992), the Government of Nepal has framed the following rules.

Chapter- 1

Preliminary

1. **Short title and commencement:** (1) These Rules may be called as the "Civil Service Rules, 2050 (1993)".

(2) These Rules shall come into force immediately.

2. **Definitions:** Unless the subject or the context otherwise requires, in these Rules,-

(a) "Act" means the Civil Service Act, 2049 (1992).

(b) "Head of Department" means the official as specified in Schedule-1.

(c) "Chief of Office" means the Chief of Office as specified in Schedule-2.

(d) "Chief of Unit Office" means the Chief of Unit office under the Chief of the Office.

3. **Interpretation of these Rules:** (1) If any civil employee is aggrieved from any interpretation made by any official while exercising any Rule of these Rules, such a civil employee may make an application to the Government of Nepal, Ministry of General Administration.¹

(2) The interpretation made by the Government of Nepal in regard to the application made pursuant to Sub-rule (1) shall be circulated by the Ministry of General Administration to all the concerned government offices for information and guidance.

¹ Amended by Second Amendment.

3A.² Procedure relating to management audit: (1) The Ministry of General Administration may, pursuant to Section 72A. of the Act, may carry out casual management audit of all bodies of the Government of Nepal on the rotational basis.

(2) The Ministry of General Administration may also cause its subordinate departments and agencies to carry out management audit pursuant to Sub-rule (1) and to submit a report thereof.

(3) The concerned bodies of the Government of Nepal shall show concerned records and documents while making management audit pursuant to Sub-rule (1) or (2).

(4)³ The Ministry of General Administration shall publicize the annual report of the management audit submitted to the Government of Nepal pursuant to Section 72A. of the Act and send it to the body of which management audit has been carried out. It shall be the responsibility of the concerned Chief of Office to make clearance of the remarks, suggestions or irregularities mentioned in such a report.

(5)⁴ The Ministry of General Administration shall specify a period and write to the Head of Department or Chief of Office who has not make clearance of the remarks, suggestions or irregularities mentioned in the report as referred to in Sub-rule (4). The Authority shall take departmental action against the Head of Department or Chief of Office who does not make clearance of such remarks, suggestions or irregularities within the period so specified.

2 Inserted by Second Amendment.

3 Amended by Seventh Amendment.

4 Inserted by Seventh Amendment.

Chapter-2

Provision of Organizational Structure and Posts

4.⁵ **Organizational structure and provision of permanent post:** (1)

No later than Fifteen days after the receipt of approval to prepare the organizational structure of any office or alter in the organizational structure or creating or cancelling permanent posts, the Ministry of General Administration shall write to the concerned body, and the concerned body shall update the records of posts within Fifteen days after the date of receipt of the information and give information thereof to the Ministry of General Administration and the Civil Employee Records Office.

(2) If any permanent post has to be created or altered in the course of preparing the organizational structure or altering the organizational structure, the job description of the post intended to be added or altered has to be attached.

(3) Business has to be carried by deputing permanent civil employees of the civil service in the approved temporary positions for projects or programmes. If such positions cannot be fulfilled from permanent employees, business of the posts other than those of project chief, accounts chief and storekeeper shall be performed through the service contract.

(4) Notwithstanding anything contained elsewhere in this Rule, if in making agreement with donor bodies and donor organizations for the operation of various programmes by various bodies of the Government of Nepal, the matter of human resources required for such programmes is also mentioned in the agreement, consent of the Ministry of General

⁵ Amended by Second Amendment.

Administration and the Ministry of Finance shall also be obtained in relation to human resources prior to making such agreement.

5. Creation of special post: (1) Special posts may be created in any of the following circumstances:

- (a) If any civil employee delays to attend the office of transfer owing to the circumstance beyond his or her control,
- (b) If the work of former office could not be performed owing to the deputation of any civil employee,
- (c) If any civil employee has been deputed on training, scholarship, seminar etc.,
- (d) If any civil employee has been on leave exceeding one month.
- (e)⁶ If a demand has been made for a post to be vacant pursuant to Sub-section (3) of Section 7A. of the Act, and an employee is recommended by the Public Service Commission prior to being such post vacant.

(2) While creating special post pursuant to Sub-rule (1), a decision shall be made at the Secretary level of the concerned Ministry, Commission or Secretariat in respect of the gazetted post and at the Head of Department level in respect of a non gazetted post, by obtaining consent⁷ of the Ministry of General Administration.

⁶ Inserted by Seventh Amendment.

⁷ Amended by Second Amendment.

Provided that, in cases where a special post is to be created for a period of less than one month in the circumstances of Clauses (a), (c) and (e)⁸ of Sub-rule (1), consent⁹ of the Ministry of General Administration shall not be required.

(3) If circumstance of Sub-rule (1) ceases to exist, the special post so created shall *ipso facto* be cancelled.

6. **Registration of post to be made:** The concerned Ministry shall compulsorily register the posts created pursuant to Section 6A. of the Act¹⁰ with the Civil Employees Record Office, also mentioning the service, group or sub-group and class, within One month from the date of decision for the creation of the post. After such registration of the post, the Civil Employees Record Office shall send the Notification thereof to the Ministry of General Administration, the Ministry of Finance and the concerned body. The post may be fulfilled only after receiving such information of the registration of post.
7. **Civil posts:** The posts under different classes of the civil service as referred to in Section 5 of the Act shall be as mentioned in the rules relating to the concerned service and group.
8. **Groups and sub-groups:** The groups and sub-groups of the civil service pursuant to Sub-section (1) of Section 6 of the Act shall be as set forth in Schedule-3.
- ¹¹8A. **Grounds for changing service, group or sub-group:** The Government of Nepal shall adopt the following grounds while changing

8 Amended by Seventh Amendment.

9 Amended by Second Amendment.

10 Amended by Seventh Amendment.

11 Inserted by Second Amendment.

the service, group and sub-group of any civil employee pursuant to Section 26 of the Act:

- (a) If any civil employee willing to change service, group or sub-group has the qualification as referred to in the Rules relating to the service, group or sub-group, and the service, group or sub-group intended to be changed requires the skills and experience of such a civil employee.
- (b) If the civil employees in the service, group or sub-group intended to be changed are not sufficient.

9.¹² **Job description:** (1) The job description of civil posts as referred to in Schedule-4 shall be enforced by the concerned secretary, Head of Department and Chief of Office. One copy of such job description shall be sent to the Ministry of General Administration.

(2) The following authority shall approve the job description of the following posts:

- (a) In the case of the job description of the chief secretary of the Government of Nepal, the Government of Nepal,
- (b) In the case of the job description of the civil employees of gazette special class, the chief secretary,
- (c) In the case of the job description of the civil employees in the Ministry, Secretariat, Commission or other civil employees at the central level and Heads of Department, other than those employees

¹² Amended by Seventh Amendment.

as referred to in Clause (b), the concerned secretary or gazetted special class civil employees;

- (d) In the case of the job description of the gazette civil employees in the department, regional, zonal, divisional, district and area level offices, other than those employees as referred to in Clauses (b) and (c), the concerned Head of Department,
- (e) In the case of the non-gazetted and class-less posts of the offices as referred to in Clause (d), the concerned Chief of Office.

(3) The concerned authority shall approve and enforce the job description of the civil employees in service at the time of commencement of this Rule within Six months after the date of commencement of this Rule.

(4) The job description as referred to in Sub-rule (1) shall also state objective criteria that can be measured and the indicators of each job shall also be specified.

(5) The subordinate Departments shall be monitored by the concerned Ministry, the subordinate offices by the Department and all Ministries, Secretariats, Commissions or central bodies by the Ministry of General Administration as to whether the provision of job description has been enforced.

(6) The Competent Authority shall, on the recommendation of the Ministry of General Administration, warn the secretary or Head of Department or Chief of Office who fails to enforce the job description pursuant to this Act and these Rules. If the job description is not enforced even upon receiving such warning, the Competent Authority

shall take departmental action against him or her pursuant to the Act and these Rules.

(7) The supervisor shall evaluate the work performance of each civil employee on the basis of work progress of indicators set forth in the job description.

(8) Each gazette civil employee shall, on the basis of the job description of his or her post, prepare an annual action plan of the jobs to be done by him or her, get it approved by the Chief of Office within the First Four monthly period of each financial year and discharge his or her job accordingly.

Provided that, the civil employees may prepare such action plan within the Second Four monthly period, for the first time after the commencement of this Rule.

10. Records of civil employees: (1) The personal details and other records of the civil employees shall be maintained by the Civil Employees Record Office.

¹³ (1a) For the purpose of maintaining up-to-date personal details and other records of civil employees pursuant to Sub-rule (1), the Ministries, Secretariats, Departments, Offices of the Government of Nepal, Constitutional Bodies and agencies and the concerned civil employees themselves shall send necessary details from time to time to the Civil Employees Record Office.

(2) The Ministries and Departments and Offices thereunder operating the service and group shall also maintain up-to-date records of the civil employees working thereunder in consistent with the records of the Civil Employees Record Office.

¹³ Inserted by Second Amendment.

¹⁴(3) The Civil Employees Record Office shall inspect as required whether or not the personal details and records of the civil employees have been maintained up-to-date in consistent with the records of the Civil Employees Record Office by the Ministries, Departments and Offices thereunder operating the service and group pursuant to Sub-rule (2). If any error is found during such inspection, the Civil Employees Record Office shall notify the concerned Ministry, Department or Office for the rectification of such error. It shall be the duty of the concerned Department or Office to make rectification of the error so notified. The Ministry of General Administration shall take or cause to be taken departmental action against the concerned employee who does not rectify such notified error within Three months.

¹⁵(4) The Civil Employees Record Office shall maintain up-to-date records of civil employees obtained from the Ministries, Secretariats, Departments, Offices of the Government of Nepal and Constitutional Bodies and other agencies. The Ministry of General Administration shall inspect from time to time whether or not the Civil Employees Record Office has maintained up-to-date records of civil employee so obtained. In the event of finding any error during the inspection, the Ministry of General Administration shall notify the Civil Employees Record Office for the rectification of such mistake within Three months. The Ministry of General Administration shall take departmental action against the Chief of the Civil Employees Record Office in cases where the errors are not corrected within the period notified for rectification.

¹⁶**10A.Records to be managed:** (1) Details of appointment, transfer, posting of, receipt of medical expenses, availing of study leave, extra-ordinary

14 Inserted by Second Amendment.

15 Inserted by Second Amendment.

16 Inserted by Seventh Amendment.

leave, maternity leave, maternity care leave and leave without pay by, civil employees shall be updated in the seat roll (personal description) of the concerned employees maintained in the Civil Employees Record Office.

(2) No salary, allowance shall be paid without obtaining the symbol number by certifying the seat roll of any employee to be appointed fresh.

(3) In making payment of the amount of medical expenses to nay civil employee, no payment shall be made without updating the records of amount to be paid within the Civil Employees Record Office.

(4) If so written for the purpose of maintaining records of the matters set forth in this Rule, the Civil Employees Record Office shall manage the records on the same day or no later than the following day if not possible on the same date and give information thereof to the concerned office by the fastest means.

(5) The responsible official implementing the decision without updating the records pursuant to this Rule shall be liable to departmental action.

11. Appointment not to be made without the post: (1) No employee shall be appointed without vacancy of a post or creation of a post in any office.

(2) If any employee is appointed and salary paid to him or her in contravention of Sub-rule (1), the amount of salary so paid shall be recovered from the official making appointment.

12. **Cancellation of post:** ¹⁷(1) If a post of the civil service is not fulfilled permanently until one year after the date of creation or vacancy of that post, such post shall *ipso facto*, be cancelled. The concerned authority shall compulsorily give the details of the post so cancelled to the Ministry of General Administration and Civil Employees Record Office within Seven days of the cancellation of such a post. After obtaining such details, the Ministry of General Administration and Civil Employees Record Office shall maintain up-to-date records thereof.

Provided that, the post, initiation for the fulfillment of which from the Public Service Commission is under process and proceeding for promotion has already been initiated, shall not be cancelled.

¹⁸(1a) The concerned authority shall compulsorily give information to the Ministry of General Administration and Civil Employees Record Office about the initiation of proceedings for promotion or recruitment from the Public Service Commission in regard to any post.

(2) The Civil Employees Record Office shall give information of the posts cancelled pursuant to Sub-rule (1) to the Ministry of General Administration, Ministry of Finance and concerned Ministry related with the service.

¹⁹(3) The Competent Authority shall take departmental action against any official who does not give information of the cancellation of the post which has fallen vacant until One year pursuant to Sub-rule (1) considering that he or her has not discharged the responsibilities of his or her post pursuant to Clause (d) of Section 60 of the Act in a responsible manner.

17 Amended by Second Amendment.

18 Inserted by Second Amendment.

Provided that, in the case of a class-less civil employee, this provision shall apply only after distinguishing the posts discharging main business from those performing subsidiary business.

NEPAL LAW COMMISSION

¹⁹ Inserted by Seventh Amendment.

Chapter-3

Vacancy Fulfillment and Lien

²⁰ **13. Requisition for permanent civil employees:** (1) In cases where any gazetted post has been newly created or fallen vacant owing to any reason, the concerned Ministry, Secretariat or Commission shall send the details related with such post to the Ministry of General Administration within Seven days. After obtaining such information, the Ministry of General Administration shall, after verifying it with the records maintained with the Civil Employees Record Office and with itself, send requisition to the Public Service Commission for fulfillment with necessary details in every Two months.

(2) In cases where any non-gazetted post has been newly created or fallen vacant owing to any reason, the concerned Head of Department or Chief of Office shall send the details related with such post to the Public Service Commission for requisition of permanent civil employee within two months, and information to that effect shall be given to the concerned Ministry, Ministry of General Administration, Civil Employees Record Office.²¹

²² (3) Notwithstanding anything contained in Sub-rules (1) and (2), requisition for fulfillment of vacancy shall be made only after adjusting the civil employees of the concerned service, group or sub-group being redundant with the vacant posts.

20 Amended by Second Amendment.

21 Amended by Seventh Amendment.

22 Amended by Seventh Amendment.

²³(4) In making requisition for posts to be vacant within the financial year pursuant to Sub-section (3) of Section 7A. of the Act, the grounds and reasons for the vacancy of the posts shall be clearly mentioned. The authority making requisition for the fulfillment of vacant posts with false details shall be subjected to departmental punishment.

²⁴**13A. Details of vacant posts:** The concerned Head of Department or Chief of Office shall prepare details of the non-gazetted civil employees whose posts have fallen vacant and who get retired on the basis of age throughout the current financial year, publish the details on the notice-board of the concerned Office, District Administration Office and Office of District Development Committee and forward the same to the Public Service Commission no later than the Fifteen day of the month of *Shrawan* for fulfillment of vacancy.

²⁵**14. Determination of number of posts on the basis of percentage of fulfillment of vacancy:** (1) After obtaining the details of requisition for employees pursuant to Rule 13, the Public Service Commission shall determine the number of posts on the basis of percentage of posts from among vacant posts to be fulfilled through open competition or evaluation of work efficiency, internal competitive examination and adjustment of promotion from evaluation of work performance and experience, pursuant to Section 7 of the Act.

(2) In determining the number of posts pursuant to Sub-rule (1), the number of posts to be filled pursuant to Sub-section (7) of Section 7 of the Act, out of the number of posts to be filled through open

23 Inserted by Seventh Amendment.

24 Inserted by Seventh Amendment.

25 Amended by Seventh Amendment.

competition pursuant to Sub-section (1) of the same Section, shall also be determined.

(3) For the purposes of Sub-section (7) of Section 7 of the Act, the details of economically and socially backward women, indigenous/nationalities, *Madhesi*, *Dalit* communities shall be as specified by the Government of Nepal by publishing a notice in the Nepal Gazette.

Provided that, all women, indigenous/nationalities, *Madhesi*, *Dalit* communities shall be considered economically and socially backward communities until so specified by the Government of Nepal by publishing a notice in the Nepal Gazette.

(4) In making application for the posts set aside pursuant to Sub-section (7) of Section 7 of the Act, application has to be made on the following basis:

- (a) In the case of indigenous/nationalities, as per the list enlisted in the Nepal Indigenous/Nationalities Upliftment National Foundation Act, in relation to the tribes enlisted in the Act,

Provided that, if there are more than one surname within a tribe enlisted in the Nepal Indigenous/Nationalities Upliftment National Foundation Act, a letter of certification made by the Chief District Officer, on the recommendation of the Chief of the concerned Local Body, that the surname is within the enlisted tribe has to be submitted with the application.

- (b) In the case of *Dalit*, as per the list enlisted by the National *Dalit* Commission, in relation to the tribes enlisted in the list,

Provided that,, if there are more than one surname within a tribe enlisted by the National *Dalit* Commission, a letter of certification made by the Chief District Officer, on the recommendation of the Chief of the concerned Local Body, that the surname is within the enlisted tribe has to be submitted with the application.

- (c) In the case of the disabled, on the basis of certification of disability by the Social Welfare Council on the recommendation of a recognized doctor,

- (d) In the case of *Madhesi*, on the basis of certification that the applicant is *Madhesi*, made by the body as specified by the Government of Nepal by a notification in the Nepal Gazette,

Provided that, until the body is specified by publishing notice in the Nepal Gazette, a letter of certification made by the Chief District Officer, on the recommendation of the Chief of the concerned Local Body, that the applicant is *Madhesi* has to be submitted with the application.

- (e) In the case of backward region, on the basis of the citizenship certificate obtained from the concerned district, mentioning the permanent residence in any district set forth in Sub-section (7) of Section 7 of

the Act and certification by the concerned Village Development Committee or Municipality the applicant has permanent abode in the place at the moment.

(5) If there is not any candidate for the post set aside for fulfillment through adjustment of promotion by the evaluation of work performance and experience pursuant to Sub-rule (1), such a post of that year shall be included in the posts of promotion by evaluation of work efficiency.

²⁶ **14A. Special provision relating to fulfillment of vacancy:** (1) The matter that which of the posts determined pursuant to Sub-section (8) of Section 7 of the Act is inappropriate for which types of disabled shall be as specified by the Government of Nepal by publishing a notice in the Nepal Gazette.

(2) In making competition between the women employees serving in the permanent posts of Women Development Programme pursuant to Sub-section (14) of Section 7 of the Act, competition shall be made for permanent posts that have been converted from development to regular of the Women Development Programme operated by the Women Development Offices situated in various districts under the Women Development Department. In making such competition, competition shall be made only between the employees serving in the similar posts.

(3) Those who have not attended the competitive examination as referred to in Sub-rule (2) or who have attended but been unsuccessful shall be given retirement from the service.

²⁶ Inserted by Seventh Amendment.

- ²⁷ **15. Minimum qualification:** (1) The minimum qualification required for different posts under the groups and sub-groups of the civil service pursuant to Sub-section (2) of Section 6 of the Act shall be as mentioned in the rules relating to concerned service, group.
- 16. Procedure for appointment:** (1) Any candidate recommended from the Public Service Commission through open competition pursuant to Section 8 of the Act shall be appointed by the Competent Authority within Two months, in the case of gazetted post, and within Fifteen days, in the case of non-gazetted post, from the date of submission of the recommendation letter, and a notice of such appointment shall be given to the concerned candidate through the fastest means. In cases where the notice of appointment has not been received by the concerned candidate or the notice has been returned, a notice asking the concerned candidate to receive the appointment letter shall be published in a public newspaper by giving the time limit of one month. In cases where the appointment letter has not been received even within such time limit, the alternate candidate mentioned in the recommendation may be appointed according to order of merit. A notice of the appointment so made shall be given to the Public Service Commission within Fifteen days after the date of appointment.
- 17. Appointment letter to be issued or cancelled:** (1) The following official shall issue the letter of appointment or cancellation of appointment to the following civil employee:

- ²⁸ (a) In the case of the gazetted civil employee, Secretary of the Ministry related with the service, group or sub-group²⁹,

²⁷ Amended by Seventh Amendment.

²⁸ Amended by Second Amendment.

²⁹ Amended by Seventh Amendment.

(b) In the case of the non-gazetted and class less employee, the Competent Authority.

(2) While issuing the appointment letter to any civil employee pursuant to Sub-rule (1), the concerned official may fix the date for him or her to join the office. The concerned employee shall join the office on the same date in cases where any specific date has been fixed for joining the office, and within Thirty Five days after the date of receiving such appointment letter, excluding the time required for journey, in cases where any date has not been specified.

(3) Except where information is given, accompanied by the evidence, that a circumstance beyond his or her control has arisen, the appointing officer may cancel the appointment letter of a civil employee who has not joined the office within the time limit as referred to Sub-rule (2). Information of such cancellation of the appointment letter shall be given to the Public Service Commission.

³⁰(4) The appointment letter to be given to the non-gazetted and class-less employee pursuant to Sub-rule (1) shall also state the date on which the period of Ten years in the zone recommended by the Public Service Commission will complete, for the purposes of Sub-section (7) of Section 18 of the Act.

18. Bond to be made or wealth guarantee to be taken: Where it is necessary to take a wealth guarantee or have a bond from an employee being appointed to any civil post according to the nature of his or her work, the appointment letter shall not be given to such an employee until such bond is made or wealth guarantee is given by that employee.

³⁰ Inserted by Seventh Amendment.

19. Certificate of physical fitness to be submitted: (1) No one shall be given permanent appointment to a civil post without submission of the certificate of physical fitness as per Schedule-5.

(2) The certificate of physical fitness has to be obtained from a medical practitioner recognized by the Government of Nepal.

20. Oath: (1) Each civil employee to be appointed pursuant to Section 14 of the Act shall take an oath in the form set forth in Schedule-6.

(2) While administering the oath pursuant to Sub-rule (1), the Secretary of the concerned Ministry, in respect of the gazetted post, and the Competent Authority, in respect of the non-gazetted post, shall administer the oath.

(3) One copy of the oath administered by a civil employee shall be sent to the Civil Employees Record Office, and another copy shall be maintained in the office where such employee is serving.

21. Posting to be made if dismissed employee is acquitted:³¹ (1) If any civil employee dismissed from the service has been reinstated by a decision of any court to his or her service, such an employee shall attend the concerned Ministry within Three months after the date of receipt of the notice of such decision.

(2) The civil employee who does not attend within the time-limit as referred to in Sub-rule (1) shall not be posted.

22. Sheet-roll form and registration in book: (1) The Competent Authority shall cause to be prepared five copies of sheet roll (personal details) of each civil employee pursuant to Schedule-7.

³¹ Amended by First Amendment.

³²(1a) If the sheet roll as referred to in Sub-rule (1) is not filled in by any employee who is in service at the time of the commencement of these Rules, such an employee shall compulsorily fill in the sheet roll within One year after the date of commencement of these Rules, and any newly appointed civil employee shall fill in the sheet roll within One month of his or her appointment. The salary of the civil employee who has not filled in the sheet roll within even within such time-limit shall be withheld.

(2) One copy of the sheet roll prepared pursuant to Sub-rule (1) shall be caused to be maintained with the Civil Employees Record Office for entry into book, one copy with the Ministry concerned with the service and group of the employee, one copy with the Department, one copy with the Ministry of General Administration and one copy with the office where the employee is in service.

(3) The sheet roll maintained with the office where the civil employee is in service pursuant to Sub-rule (2) shall be sent immediately to the office of transfer if the employee is transferred.

³³(4) The Civil Employees Record Office shall register the sheet roll of a civil employee obtained pursuant to Sub-rule (2) for registration and maintain the sheet roll with certification specifying the date of birth of such an employee and the date of compulsory retirement pursuant to Section 33 of the Act, and if it is deemed necessary for the purpose of certification of date of birth and age, the Civil Employees Record Office may also require the concerned employee to submit necessary original certificates.³⁴

32 Inserted by Second Amendment.

33 Amended by Second Amendment.

34 Amended by Seventh Amendment.

³⁵ (5) If a civil employee has to include any details in his or her sheet roll, he or she has to send such to the Civil Employees Record Office through his or her office, and the Civil Employees Record Office shall include the details so obtained in the sheet roll of the concerned employee and give information thereof to the Ministry of General Administration and to the employee and the office concerned.

23. Not more than one employee to be appointed permanently in one post: Not more than one person may be appointed permanently to a permanent post at the same time.

³⁶ 24.

25. No appointment to be made without fulfilling procedures determined by Public Service Commission: (1) While making appointment to a post to which appointment is made pursuant to the authority conferred by the Public Service Commission, the officer making appointment shall make appointment only after making an advertisement in regard to such a post and following the procedures and terms and conditions determined by the Public Service Commission.

³⁷ (2) In cases where it appears that there has been made appointment to the post required to be appointed to pursuant to Sub-rule (1) without observance of the specified procedures and terms and conditions, and it has been written by the Public Service Commission that the appointment is against the Rule,.....³⁸ such person shall be removed from that post within One month.

(3) If, in making appointment pursuant to Sub-rule (1), appointment is made without observing the specified procedures and

³⁵ Amended by Second Amendment.

³⁶ Repealed by Second Amendment.

³⁷ Amended by Fourth Amendment.

terms and conditions, departmental punishment shall³⁹ be taken against the official making such appointment.

Chapter- 4

Provisions Relating to Expert Post

26. **Expert post:** The Government of Nepal may, by publishing a notice in the Nepal Gazette, specify any particular post of gazetted class of the civil service as expert post in cases where it has become essential for the development of expertise in view of qualification, experience and nature of job. Specific qualification necessary for such a post shall also be mentioned in such a notice.
27. **Transfer:** (1) The Government of Nepal may transfer a civil employee holding expert post without altering the responsibility of similar nature of job and work performance within the limit of the prescribed service, group and sub-group.
- (2) A civil employee who has been transferred pursuant to Sub-rule (1) shall be transferred along with his or her post.
28. **Promotion:** (1) While making recommendation for the promotion of a civil employee holding an expert post, the Promotion Committee shall do so on the basis of work efficiency.
- (2) While evaluating the work efficiency, the Promotion Committee shall do so on the basis of criteria fixed in this regard, and if deemed necessary, it may also form an expert committee for this purpose.

38 Deleted by Seventh Amendment.

39 Amended by Fourth Amendment.

(3) While promoting a civil employee holding an expert post to upper class, the existing post of the employee shall be upgraded to upper class with addition of suitable designation. After the vacancy of such upgraded post, it shall automatically be maintained to the post of fresh appointment.

(4) A civil employee holding expert post shall not be allowed to be candidate for any other promotion to be made on the basis of evaluation of work efficiency.

(5) Five years of service period in the existing level of post has to be completed for the promotion from one class to another class.

- 29. Other provisions relating to expert post:** The matters other than those mentioned in this Chapter in relation to the expert post shall be as prescribed in the rules relating to service and group.

Chapter- 5

Provisions Relating to Classless Posts and ⁴⁰Posts of Non-gazetted Fifth Class

⁴¹**30. Classless posts and posts of non-gazetted fifth class:** (1) The posts having similar nature of job with skill development on the basis of work experience, as prescribed in Schedule-8, shall be considered as classless posts.

(2) If the civil employees serving in the classless posts as referred to in Sub-rule (1) intend to be affiliated with the class pursuant to Sub-section (2) of Section 4 of the Act, their class shall be set as the non-gazetted fifth class.

(3) The salary being drawn previously by the civil employees whose level is set as the non-gazetted fifth class pursuant to Sub-rule (2) shall not be lesser than that.

(4) When the civil employees whose class has been set as the non-gazetted fifth class and who have completed the service period as referred to in Section 20A. of the Act in that class as well as in the classless post are retired compulsorily, they shall be promoted to the post of non-gazetted third class pursuant to that Section and awarded retirement.

(5) The civil employees whose class has been set as the non-gazetted fifth class may also take part in the internal competitive examination as referred to in Sub-section (6) of Section 7 of the Act.

40 Inserted by Seventh Amendment.

41 Amended by Seventh Amendment.

31. Fulfillment of post: (1) While fulfilling the classless posts through new appointment, the appointment shall be made with entitlement to the basic salary of the approved pay scale.

(2) If class-wise posts are converted into classless posts, the concerned civil employee shall be adjusted on the basis of his or her existing salary to the appropriate and equivalent salary of the approved pay scale of classless posts.

32. Transfer: (1) A civil employee serving in the classless post and non-gazetted fifth class post⁴² may be transferred to the classless post and non-gazetted fifth class post⁴³ of similar nature.

⁴⁴(2) Transfer of a classless civil employee and a civil employee of the non-gazetted fifth class shall be made shall be made by the Chief of Office, in respect of subordinate offices and by the Head of Department in respect of other offices.

33.⁴⁵ **Upgrading:** In upgrading a civil employee serving in the classless post pursuant to Section 24D2. of the Act after the commencement of this Rule, such upgrading shall be made with effect from the following day of the completion of the service period as referred to in Sub-section (3) of the said Section.

Provided that, where punishment is recorded pursuant to Section 18E. of the Act, upgrading shall be made with effect from the following day of the completion of the term of punishment.

42 Amended by Seventh Amendment.

43 Amended by Seventh Amendment.

44 Amended by Seventh Amendment.

45 Amended by Seventh Amendment.

Chapter- 6

Posting and Transfer

34.⁴⁶

34A.⁴⁷ **Provisions relating to posting:** (1) In making initial posting of the civil employees who have been recommend through open completion and promotion pursuant to Section 7 of the Act, such employees shall be provided with the information of the vacant posts and caused to set the order of priority according to their interest and desire, and their posting shall be made to the places chosen by them, in the recommended order of merit.

Provided that, in the case of the employees who are to be posted after the pre-service training, posting may be made also on the basis of the order of merit of training made by the training institution.

(2) In making recommendation by the concerned Ministry for the posting of the civil employees whose posting has to be made with the consent of the Ministry of General Administration, the matters as referred to in Sub-rule (1) shall also be set out and forwarded.

34B.⁴⁸ **Provisions relating to work performance contract:** (1) In making a work performance contract with the official set forth in Schedule-8A. pursuant to Sub-section (2) of Section 15 of the Act, the following officials may make it:

- (a) In the case of the Head of Department of a central level Department of the Government of Nepal or

46 Repealed by Second Amendment.

47 Inserted by Seventh Amendment.

48 Inserted by Seventh Amendment.

the Chief of Office at the departmental level, between the secretary of the concerned Ministry and the Head of Department or Chief of Office at the departmental level,

- (b) In the case of a chief of project, between the secretary of the concerned Ministry and the chief of project, if the project is under the Ministry, between the concerned Head of Department and the chief of project, if the project is under the Department, and between the concerned Chief of Office and the chief of project, if the project is under the Office,
- (c) In the case of the Chief of Office, between the Head of Department of the concerned Department and the Chief of Office, and between the secretary of the concerned Ministry and the Chief of Office if the Office does not have any Department.

(2) The work performance agreement as referred to in Sub-rule (1) shall set out the following matters:

- (a) Goals of the Department or project or Office,
- (b) Budget, human resources and other resources and means required to achieve the goals,
- (c) Time frame to achieve the goals,
- (d) Results to be achieved or expected achievements,
- (e) Indicators of the work performance evaluation,

- (f) Conditions for the cancellation of the work performance agreement,
- (g) Powers required for the implementation of the work performance agreement,
- (h) Terms of the work performance agreement,
- (i) Other necessary measures.

(3) The concerned Ministry and department shall regularly monitor whether work as referred to in the work performance agreement has been carried out or not.

(4) There shall be a committee under the convenorship of the concerned Ministry, consisting representatives of the Ministry of General Administration, the Ministry of General Administration, the concerned Ministry and the National Planning Commission, for annual appraisal of the work as referred to in the work performance agreement.

(5) In the event of failure to make excellent performance of work in accordance with the work performance agreement, except owing to a circumstance beyond control, special responsibility of any chief post shall not be given to such Head of Department or chief of project or Chief of Office until Two years.

(6) If the Head of Department or chief of project or Chief of Office fails to perform the work as mentioned in Sub-rule (5) for more than once, he or she shall be liable to departmental punishment pursuant to Clause (a) of Section 59 of the Act.

Provided that, if a civil employee who has been removed once from the post of special responsibility pursuant to Sub-rule (5) obtains again such responsibility after a certain period of time and demonstrates

satisfactory work progress, the deficiency in the progress of work performance of the period during which he or she was given special responsibility before that shall not be taken into account as a ground for the departmental action as referred to in this Rule.

(7) The details of the terms of the work performance agreement and annual appraisal shall be made public within One month after the completion of such work.

(8) In making posting to the Head of Department of a body in relation to which the work performance agreement system applies, to the Chief of Office or chief of project, the potential civil employees shall be required to furnish a strategic plan and operational plan and action plan of such a body for Two years, accompanied by the expected achievements, and the employee who furnishes an excellent plan may be posted to that post, by making the work performance agreement with the official as referred to in Sub-rule (1), on the recommendation of the committee as referred to in Sub-rule (4).

(9) The Government of Nepal may as required prepare and issue guidelines for the management of the work performance agreement.

34C.⁴⁹ Provisions relating to additional group: (1) If the position of the civil employees subjected to redundancy pursuant to Sub-section (2) of Section 18D. of the Act is in the additional group of the Ministry of General Administration, the Ministry of General Administration may depute such employees to other bodies subject to receiving salary and allowances from the offices where they are so deputed to.

(2) The position of employees who have been deputed by the Ministry of General Administration pursuant to Sub-sections (2) and

⁴⁹ Inserted by Seventh Amendment.

(2a) of Section 18A. of the Act may be transferred to the additional group.

(3) In making requisition for the fulfillment of any post, such requisition has to be made only after deducting the number of employees who are in the additional group.

35.⁵⁰

36.⁵¹ **Time frame of transfer and criteria for transfer:** In making transfer of the civil employees pursuant to Section 18 of the Act, the transfer shall be made in accordance with the following time frame:

- (a) From the first day of *Magha* to the last day of *Magha* of each year by the Ministry of General Administration,
- (b) From the first day of *Falgun* to the last day of *Falgun* of each year by the Ministry or Ministry level central body or Department,
- (c) From the first day of *Chaitra* to the last day of *Chaitra* of each year by the regional level bodies,

Provided that, if it is required to make transfer to a post fallen vacant in any Office at a time other than the prescribed time frame, such transfer may be made with the consent of the Ministry of General Administration.

(2) The transfer of civil employees shall be made as follows:

50 Repealed by Second Amendment.

51 Amended by Seventh Amendment.

- (a) In the case of the employees of gazette special class and gazetted first class, by a decision of the Government of Nepal, Council of Ministers,

Provided that, in transferring the civil employees of gazetted first class to the bodies under the same Ministry, such transfer may be made by a decision at the concerned departmental minister level.

- (b) The transfer of the civil employees of the gazetted second and third classes, by a decision of the gazetted special class secretary of the concerned central body,

Provided that, the transfer of the employees up to the gazette third class serving under any Department to any office under that Department may be made by a decision of the decision of the concerned Head of Department.

- (c) The transfer of the non-gazetted and classless civil employees, by a decision of the Joint Secretary of gazetted first class looking after the personnel administration, of the concerned central body.

- (d) Notwithstanding anything contained in Clause (c), the transfer of the non-gazetted as well as classless employees in the same Department or thereunder to the same Department or other bodies under that Department, by a decision of the concerned Head of Department.

(3) Any employee, who has completed Fifty years of age, shall not be transferred to the geographical regions of category "A" unless so demanded by him or her.

(4) Priority shall be given to transfer the non-gazetted and classless civil employees to the districts of their convenience from home.

(5) The non-gazetted and classless civil employees serving in the offices in the districts of their convenience from home shall not be transferred to other districts except in cases where they voluntarily make application for such transfer or where it is proved that they have done any undisciplined and undue act.

(6) A civil employee who has One year or less to take compulsory retirement by age shall not be transferred except where he or she so requests.

(7) If the Ministry of General Administration has to transfer any civil employee prior to the completion of the period as referred to in Sub-section (3) of Section 18 of the Act, it shall make transfer only on the ground set forth in Sub-section (4) of the said Section. In making such a transfer, the letter of transfer shall indicate the ground for transfer prior to the completion of period. Where transfer has been so made prior to the completion of period, description of transfer indicating the clear reason for the transfer prior to the completion of period has to be sent to the Office of the Prime Minister and Council of Ministers.

(8) In transferring a civil employee whose engagement in the Office is not appropriate pursuant to Clause (d) of Sub-section (4) of Section 18 of the Act, the transfer shall be made by the Competent Authority, with the consent of the Ministry of General Administration, after it has been written by the concerned Chief of Office stating the

clear reason why it is not appropriate to continue his or her engagement in that Office.

(9) In requesting for consent to make transfer for the purpose of entrusting the special responsibility for the purposes of Clause (b) of Sub-section (4) of Section 18 of the Act, such consent has to be asked for, indicating that there exists a situation requiring to entrust the responsibility of the Head of Department or Chief of Office or chief of project.

(10) Where the consent of the Ministry of General Administration is sought to transfer any civil employee prior to the completion of period, the Ministry of General Administration shall made decision in that respect within One month after the date of receipt of the letter for such consent and give information in writing to the concerned body. If information is not sent within that period, the consent of the Ministry of General Administration shall be deemed to have been given for such a transfer.

Provided that, if the Ministry of General Administration asks for additional details, it may give consent within One month after the date of receipt of such details.

(11) Notwithstanding anything contained in this Rule, once any civil employee under any body or thereunder has been transferred and he or she has completed the period, that body shall not again transfer such an employee prior to the completion of one period as referred to in the schedule of transfer by the Ministry of General Administration pursuant to Sub-rule (1).

Provided that, this provision shall not apply to those civil employees who serve as the acting or officiating.

(12) Notwithstanding anything contained in this Rule, any civil employee who has already served as chief of the Ministry or Department or central body or regional office or district-based office shall not be transferred to any body or office lower than that in the post of same class unless such employee requests for such transfer voluntarily.

(13) Notwithstanding anything contained in this Rule, no civil employee shall be so transferred or so posted as to remain under an employee junior to him or her in any circumstance other than where the period of departmental punishment imposed on him or her has not expired or where he or she requests for such transfer or posting voluntarily.

(14) Notwithstanding anything contained in this Rule, after the requisition form for the fulfillment of any vacant non-gazetted and classless posts has been filled in and sent, such posts shall not be fulfilled by making transfer thereto.

(15) Anybody making transfer of civil employees or giving consent for such transfer shall make criteria to that effect and make decision accordingly.

(16) The criteria prepared pursuant to Sub-rule (15) shall be made public.

(17) The format of application form for transfer shall be as set forth in Schedule-9.

36A.⁵² **Facilities to be given where transfer made prior to completion of period:** (1) If any civil employee is transferred prior to the completion of period for transfer as referred to in Sub-rule (3) of Section 18 of the Act, an amount equal to the salary of one month drawn by such a civil

⁵² Amended by Seventh Amendment.

employee shall be given to him or her for settlement in the new place, for the purposes of Sub-section (8) of that Section.

(2) The amount as referred to in Sub-rule (1) shall be paid by the previous office in which such a civil employee is in service.

(3) In transferring any civil employee prior to the completion of period for transfer as referred to in Sub-rule (3) of Section 18 of the Act, the letter of transfer itself shall clearly state whether he or she is entitled to the amount for settlement in the new place for the purposes of Sub-section (8) of that Section, and a request for the amount as referred to in this rule shall also be accompanied by a copy of the letter of transfer.

37. Details relating to transfer: The authority empowered to transfer civil employees shall ⁵³ prepare the details relating to transfer of civil employees pursuant to Schedule-10, and send such details to the Ministry of General Administration and the Civil Employees Record Office.

38. Procedures for making transfer: (1) The Competent Authority shall maintain up-to-date details as referred to in Schedule-11 for the transfer of civil employees.

(2) ⁵⁴ The following procedures shall be followed while transferring a civil employee:

- (a) While transferring a civil employee from one place to another place, the decision to make transfer shall also state the office and the geographical region in which the employee is in service, period of service,

⁵³ Amended by Second Amendment.

⁵⁴ Amended by Seventh Amendment.

the office and geographical region proposed for transfer, the period of transfer and the reason for making transfer.

- (b) After a decision to make transfer of a civil employee has been made, the letter of transfer as referred to in Schedule-11A. shall have been issued within Three days after the date of such a decision to the employee to be transferred. Upon receipt of such letter of transfer, the concerned Office shall give the dispatch letter as referred to in Schedule-12 within the time-limit as referred to in Rule 40.
- (c) If the salary as well as allowance is paid by the Office from which any civil employee is transferred instead of giving the dispatch letter within the time-limit as referred to in Clause (b) to the employee who has been transferred, the salary and allowance over and above the time-limit for the issuing of dispatch letter so paid to such a civil employee, without issuing the dispatch letter, shall be recovered from the Chief of Office and Accounts Chief paying the salary and allowance.
- (d) The Competent Authority making transfer without following the procedures as referred to in Clause (a) shall be liable to departmental punishment.

39.⁵⁵ To attend office of transfer: Any civil employee shall attend the office of transfer within the time limit as prescribed in the dispatch letter. No civil employee shall be transferred to another post or office

⁵⁵ Amended by Second Amendment.

without once attending the office of transfer. Departmental punishment shall be taken imposed on any civil employee who does not attend the office within such specified time limit.

40. Time limit for assuming charge: (1) In cases where a civil employee is required to move from one place to another place upon being transferred and hand over the charge, such an employee shall get a time limit not exceeding Twenty-one days for the hand-over of charge and a time limit not exceeding Seven days for preparation, excluding the time required for journey, and during the time limit for preparation, the employee shall not be required to attend the office. In cases where it takes more than Twenty-one days for handing or taking over the charge, the time-limit for handing or taking over the charge may be extended upto One month⁵⁶ by the concerned Secretary, setting out the clear reason for the same.

(2)⁵⁷

41.⁵⁸ Report to be submitted by employee being transferred: (1) In cases where an employee holding the post of chief of any office is to be transferred to another office, he or she has to she shall have to prepare details clearly indicating the work performance evaluation forms, accounts and settled arrears and details of due amount, confidential documents, and status of advance payment and priorities of other works to be settled by the office under his or her responsibilities and hand over than to the successor or, in his or her absence, to the immediate senior civil employee.

(2) Where a civil employee other than the Chief of Office is transferred, such employee shall prepare details clearly indicating the

⁵⁶ Amended by Seventh Amendment.

⁵⁷ Deleted by Second Amendment.

dues and arrears in his or her custody, and the priority of the works of the office yet to be performed and details relating to the jobs according to his or her job description and hand over the same to the civil employee designated by the Chief of Office.

Provided that, in the event of failure to hand over the details in time owing to a circumstance beyond his or her control, the employee shall prepare the details and forward the same to the previous Office within Seven days of attendance in the office of transfer.

(3) The Competent Authority shall impose departmental punishment on the civil employee who fails to make a report pursuant to Sub-rules (1) and (2).

Chapter -7

Provisions Relating to Deputation and Acting

42.⁵⁹

42A.⁶⁰ **Provisions relating to deputation:** (1) In order to depute any civil employee to a body having no post of the civil service and to an approved temporary position pursuant to Section 18A. of the Act, a request setting out the following matters shall be made for the consent of the Ministry of General Administration:

- (a) The objective reason why the proposed civil employee himself or herself has to be deputed to the body to which deputation is so proposed,

58 Amended by Seventh Amendment.

59 Repealed by Second Amendment.

60 Inserted by Seventh Amendment.

- (b) Where the civil employee to be deputed is to receive any facility other than the salary and allowance to which he or she is entitled according to the Rules from the office to which he or she is deputed, details of such facility,
- (c) The reason why it is appropriate that the civil employee proposed to be deputed himself or herself has to be deputed on the basis of the work efficiency, work experience, educational qualification, seniority, training and other details of the civil employee for the deputation of whom consent has been sought and of the other civil employees equivalent to him or her,
- (d) Alternative provision to deal with the business being carried out by the civil employee to be deputed.

(2) In making a request for the consent pursuant to Sub-rule (1) in the case of a temporary position, such a request has to be made to depute a civil employee of the same level as that of the temporary position as approved.

(3) In giving consent to make deputation pursuant to these Rules, the Ministry of General Administration shall examine whether the terms as referred to in Sub-rule (1) have been fulfilled or not, whether consent has been sought to make deputation by giving priority to the senior-most employee out of the qualified and interested civil employees or not and shall, if matters are found followed accordingly, give consent only until the end of one financial year to make deputation to the projects other than the projects with specific term, within One month of the request for consent.

(4) Where civil employees under one Ministry, Secretariat, Commission are to be transferred to any body under another Ministry, Secretariat, Commission pursuant to Sub-section (2) of Section 18A. of the Act, the central body related with the body where the civil employees are in service shall make deputation with the consent of the Ministry of General Administration at the request of the central body related with the body where deputation is made.

(5) In making deputation to a commission or committee/board of permanent nature pursuant to Sub-section (2a)⁶¹ of Section 18A. of the Act, deputation shall be made only to the commission and board having no position of the civil service.

(6) In making deputation pursuant to Sub-rule (5), the central body of the body where the employee is in service shall, with the consent of the Ministry of General Administration, and obtaining the details of request by the concerned commission or board for the civil employee, make deputation.

42B.⁶² Provisions relating to deputation to Local Body: (1) In transferring the district-based offices of the Government of Nepal to the Local Body pursuant to Sub-section (4) of Section 18A. of the Act, the civil employees shall be deputed as follows:

- (a) The Ministry or body operating the service, group or sub-group may depute the civil employees to the office transferred upon the district-based offices being transferred to the Local Body. The lien of the employees so deputed shall remain in the reserve (pool) position of the body operating the service, group or sub-group.

⁶¹ Amended by the Eighth Amendment.

- (b) If the post of any civil employee whose lien is in the reserve (pool) position pursuant to Clause (a) does not remain in the reserve (pool) position for any reason whatsoever, such a reserve (pool) position shall *ipso facto* lapse.

(2) The concerned Local Body shall bear the salary and allowance receivable by the civil employee deputed pursuant to Sub-rule (1) pursuant to the laws in force relating to his or her service, group. In relation to the facilities other than such salary and allowance, the rules of such a Local Body shall apply.

(3) The Ministry or body operating the service, group or sub-group may transfer the civil employees deputed pursuant to Sub-rule (1) to another office.

(4) If any Local Body writes to the Ministry or central body in which any civil employee in service in that Local Body has lien, accompanied by the reasonable reason, that it is not appropriate to keep that employee in that Body, such Ministry or central body may withdraw his or her deputation and depute another civil employee to that place.

Explanation: For the purposes of this Rule, the term "district-level office" includes a village, town or area level office.

43. Provision relating to appointment as acting: (1) The following official may make appointment as acting to the following posts:

- (a) The Government of Nepal, in respect of the post of Head of Department,

Provided that, the head of constitutional body may do so, except as otherwise provided, in respect of the head of department of the office of constitutional body,

- (b) The concerned Head of Department for the post of Chief of Office and Chief of Unit Office,
- (c) The official as specified in the Rules relating to government attorney for the post of government attorney,
- (d) The Government of Nepal, in consultation with the Chief Justice, for the post of chairman of the Revenue Tribunal and that of the Administrative Court.

(2) Except as referred to in Sub-rule (1), no appointment as acting shall be made in the other civil posts.

44. Not more than one person may be appointed as acting in one

post: Not more than one civil employee shall be appointed as acting in one civil post⁶³ at the same time.

45. Notice of appointment as acting: If appointment as acting has been made in any civil post pursuant to Section 13 of the Act, information shall be given to the concerned Ministry and the Ministry of General Administration.

46. Power of Chief of Office to be exercised: (1) If the chief of any office becomes absent for a short period owing to being ill or any other reason, his or her immediate subordinate senior-most civil employee,

⁶³ Deleted by Seventh Amendment.

out of his or her subordinate employees within the position or special position or employees deputed in the vacant position working under him or her,⁶⁴ shall carry out day-to-day business, indicating that he or she is officiating.

(2) Until the period of appointment or transfer of a successor to the vacant post of the Chief of any Office, the senior-most employee as referred to in Sub-rule (1) shall take custody of the cash balance, seal of office, documents and inventories necessary for the operation of day-to-day business of the office and carry out the responsibility of the Chief of Office as the officiating until other arrangement is made.

(3) The civil employee so serving as the officiating shall give information of the situation arisen as referred to in Sub-rule (2) to the level higher than that of him or her.

(4) If any civil employee has served in a post as acting or as officiating pursuant to Sub-rule (1) or (2), the employee shall also be responsible for the matter of handing over of charge (account) for the period of service carried out by him or her in such a post.

Provided that, for the handing over of charge for the whole year, the handing-over shall be made by the successor for the year that successor has taken the charge, and by the person serving as the acting or officiating for the year if the successor has not taken the charge.

- 47. Salary and allowance to be obtainable for work carried out as acting or officiating:** (1) In cases where any civil employee serves as the acting in any post, or as the officiating in any post for a period of more than Fifteen days, such a civil employee who has so served shall

⁶⁴ Amended by Seventh Amendment.

be entitled to obtain the salary and allowance of the post in which he or she has served, with effect from the date of such service.

(2) The salary and allowance obtainable by a civil employee who has served as the acting or officiating pursuant to Sub-rule (1) shall not exceed such salary and allowance as may be obtained by him or her if he or she is promoted to one class higher post.

Provided that, the amount of salary and allowance to be so obtained shall not be less than the salary and allowance being drawn by him or her.

48.⁶⁵

Chapter-8

Provision Relating to Nomination for Study and Training

49. **Grounds for nomination for study, training or study tour:** While nominating any civil employee for a study, training or study tour, the concerned Ministry shall nominate the employee from amongst the employees in the Ministry and thereunder within the service, group or sub-group, on the following grounds:

- (a) The subject of study, training or study tour is useful and necessary for the service, group or sub-group to which the concerned civil employee has been serving.
- (b) On the basis of the priority from amongst the civil employees who have secured highest marks for educational qualification, seniority, experience of service in the geographical region and evaluation of work performance in accordance with Section 24 of the Act, giving priority to the prescribed requirements for the

nomination in the scholarship received for the study, training and study tour.

- (c) Completion of the permanent service period of Three years.
- (d) Below the age of Forty Five years, in respect of study of bachelor's, master's or any educational degree.

Explanation: For the purposes of this Chapter-

- (1) "Study" means a study to be made in order to obtain bachelor's, master's or any educational degree on the subject related with the service.
- (2) "Training" means a training programme to be conducted by any corporate body within the fixed period as per the fixed curriculum except where bachelor's, master's or other educational degree is awarded.
- (3) "Study tour" means a workshop, seminar or observation tour to be organized for a period not exceeding Six weeks, other than a study and training.

50.⁶⁶ Priority to be given in making nomination: (1) In making nomination of civil employees for a study, training or study tour in a foreign county, such nomination shall be made as follows subject to Rule 49:

⁶⁵ Repealed by Second Amendment.

⁶⁶ Amended by Seventh Amendment.

- (a) A civil employee who has not obtained earlier any opportunity for study, training or study tour abroad,
- (b) Where all civil employees have already got the opportunity, a civil employee who has spent the most time in the concerned body after such completion of study, training or study tour,
- (c) Where order cannot be determined for nomination pursuant to Clauses (a) and (b), a civil employee who has spent the most service period in the same post.

Provided that, in the matter where any specific qualification and age is required, nomination shall be made in consonance with Clauses (a) and (b) only from amongst the civil employees who have such qualification and are of such age.

(2) Even though an invitation is received in the name of any civil employee for participation in a training or study tour to be nominated by the Government of Nepal, the concerned body has to make nomination in consonance with Sub-rule (1).

Provided that, for a seat related with any specific project, nomination may be made pursuant to Sub-rule (1) from within the same project.

(3) Notwithstanding anything contained elsewhere in these Rules, the civil employees who have got an opportunity to take part in any study or training abroad on any subject that is useful and necessary

for the service, group or sub-group in which they are serving, upon being selected in the global competition, after obtain the prior approval of the Government of Nepal in such a manner as to obtain scholarship from various countries of international organizations of which Nepal is a member shall also be nominated for study or training.

51. Restriction to nomination: Notwithstanding anything contained foregoing in this Chapter, no civil employee shall be nominated for a study, training or study tour during the period when he or she is ineligible to be a potential candidate for promotion pursuant to Section 22 of the Act.

52.⁶⁷

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⁶⁷ Repealed by Second Amendment.

53.⁶⁸

53A.⁶⁹ Other provisions relating to study, training or study tour: (1)

The concerned authority shall give information relating to the opportunities of study, training or study tour obtained directly from donor agencies to any body where any office bearer of the civil service is in service to the secretariat of the committee constituted pursuant to Sub-section (3) of Section 40B. of the Act. The committee shall make⁷⁰ a recommendation to the concerned body for departmental action against the chief of the body failing to give such information, and amount equivalent to the salary and allowance drawn or drawable by a civil employee, who has been nominated by the Competent Authority without giving such information, for the period in which he or she has been so nominated, shall be recovered from that Competent Authority.

(2) It shall be the duty of the concerned body to prepare and send yearly details of scholarships to be obtained from different donor agencies under the project agreements in the course of implementation of the projects to the secretariat of the committee constituted in accordance with Sub-section (3) of Section 40B. of the Act.

(3)⁷¹ The civil employee shall attend the concerned office within One month from the date of completion of the study, training or study tour. The civil employee who does not attend the office within that period shall be liable to departmental punishment, except where he or she has requested for a leave, accompanied by a reasonable reason, and the leave has been sanctioned.

68 Repealed by Second Amendment.

69 Inserted by Second Amendment.

70 Amended by Seventh Amendment.

71 Amended by Seventh Amendment.

(4) If any civil employee does not attend the office within Ninety days after the date of completion of study, training or study tour or does not serve in the civil service as per the bond as referred to in Section 40D. of the Act, such a civil employee shall pay to the concerned office the expenses incurred or obtained in such a study, training or study tour and the salary and allowance obtained during that period, within another Three months after the expiration of the time specified for study, and in the event of failure to make such payment, the same shall be recovered as governmental dues.

(5)⁷² For the purpose of maintaining records of whether a civil employee who has gone for a study, training or study tour has attended the office within the period as referred to in Sub-rule (3) after the completion of the study, training or study tour, details setting out the name of such an employee, country where he or she has gone for study, period and subject of study or training shall be prepared in duplicate within the last day of the month of *Shrawan* each year and one copy thereof shall be sent to the secretariat of the committee as referred to in Sub-section (3) of Section 40B. of the Act and one copy shall be updated by the concerned body. It shall be the responsibility to prepare and send such details shall be the chief of the concerned body.

Chapter - 9

Attendance and Leave

54. Whole time of civil employee to be under Government of Nepal:

Except as otherwise provided for in these Rules, the whole of the civil employee shall be under the Government of Nepal, and the employee may be engaged in the government business at any time.

⁷² Inserted by Seventh Amendment.

55. Office time, punctuality and attendance: (1)⁷³

⁷⁴(2) The concerned Chief of Office shall mark as an absentee a civil employee who does not come to the office on time specified pursuant to Section 41 of the Act, and who comes to the office late and leaves it early from time to time and who leaves the office during office hours without obtaining approval other than for the purpose of office work.

Provided that, the Chief of Office may permit a civil employee who comes to the office fifteen minutes late than the specified time for a maximum of Three times in one month to make attendance.

(3) No civil employee shall be absent from his or her office without obtaining leave except for a reasonable reason. The civil employee being so absent shall submit an application for leave within Seven days.

55A.⁷⁵ Determination of office hours: The office hours of the government offices shall be as determined by the Government of Nepal by publishing a notice in the Nepal Gazette.

56. Casual leave and festival leave:⁷⁶ (1) A civil employee shall be entitled to get a leave of a total of Twelve days⁷⁷ in each year consisting of a casual leave of Six days and a festival leave of Six days.

(2) A civil employee who goes on the casual and festival leave shall be paid full salary.

(3) The casual and festival leave may also be taken for half a day.

⁷³ Deleted by Second Amendment.

⁷⁴ Amended by Second Amendment.

⁷⁵ Amended by Seventh Amendment.

⁷⁶ Amended by Sixth Amendment.

Explanation: For the purpose of this Sub-rule, "half a day" means half the time of the daily office hours/time.

(4) The casual and festival leave of One year cannot be accumulated and taken in the next year.

(5) The authority empowered to grant leave may sanction the casual and festival leave even on the basis of a verbal request.

Provided that, in cases where the casual and festival leave have been so sanctioned, the authority empowered to grant leave shall have to cause to be maintained the records thereof.

57. Home leave: (1) A civil employee shall be entitled to the home leave at the rate of One day for every Twelve days of the period of work performed by him or her.

Provided that, the civil employee who is entitled to get the winter or summer leave shall not be given the home leave as provided for in this Rule.

(2) For the purposes of this Rule, the "period of work" includes the casual and festival leave, sick leave, maternity leave, maternity care leave,⁷⁸ mourning leave and public holidays taken during such period.

(3) The employee shall be entitled to get full salary while staying on the home leave.

(4)⁷⁹ The employee shall be entitled to accumulate up to One Hundred and Eighty days of home leave earned by him or her.

⁷⁷ Amended by Seventh Amendment.

⁷⁸ Inserted by Seventh Amendment.

⁷⁹ Amended by Second Amendment.

(5) In cases where any civil employee is detached from the service due to any reason, such an employee shall be entitled to get a lump sum amount against his or her accumulated home leave at the rate of the salary being drawn by him or her in the post in which he or she has lien.

(6) In cases where any civil employee dies before receiving the amount payable in lieu of the accumulated home leave, the person as referred to in Sub-section (5) of Section 39 of the Act shall be entitled to receive the amount payable against such accumulated home leave.

(7) In cases where a civil employee who is entitled to get the winter or summer leave is deputed in the work, without entitling him or her to that leave, the office making such deputation shall have to pay to such employee an amount in lieu of the said leave at the rate of salary receivable by him or her in the post in which he or she has lien.

(8) A civil employee who is on the home leave, study leave or extra-ordinary leave shall not be entitled to get the home leave during that period.

(9) While going home once a year on the home leave of at least Seven days and returning to office from home after completing the home leave, a civil employee shall get a time for journey, at the rate of One day for every Eight *Kosh* (Sixteen miles) if he or she travels on foot, and in the case of travel by vehicle, train or aero-plane, as many days as required to complete such journey.

58. Sick leave: (1) A civil employee shall be entitled to get a sick leave of Twelve days in each year.

(2) A civil employee shall be entitled to get full salary while going on the sick leave.

(3) In cases where a civil employee falls seriously ill and the accumulated sick leave is insufficient, an advance sick leave of a maximum of Twelve days may be granted to him or her.

(4)⁸⁰ A civil employee going on the extra-ordinary leave and on a leave other than the leave without pay as referred to in Section 71A. of the Act shall also be entitled to get the sick leave during that period.

(5) A civil employee requesting for the sick leave for a period of more than Seven days shall have to submit a certificate issued by a recognized doctor.

Provided that, in cases where the authority empowered to grant leave believes that submission of such a certificate was not generally possible, he or she may sanction that leave even without certificate, by having recorded the matter accordingly.

(6) The employee shall be entitled to get accumulated the sick leave earned by him or her.

(7) In cases where any civil employee is detached from the service due to any reason, such an employee shall be entitled to get a lump sum amount against his or her accumulated sick leave at the rate of the salary being drawn by him or her in the post in which he or she has lien.

(8) In cases where any civil employee dies before receiving the amount payable in lieu of the accumulated sick leave, the person as referred to in sub-section (5) of Section 39 of the Act shall be entitled to receive a lump sum of the amount payable against such accumulated sick leave.

⁸⁰ Amended by Seventh Amendment.

(9) In cases where the accumulated sick leave and home leave are insufficient for the treatment of a civil employee suffering from any serious or major disease, an additional sick leave not exceeding Forty-five days may be taken in advance upon submission of a certificate issued by a recognized doctor on conditions that such leave shall be deducted from the sick leave and the home leave to be earned subsequently. The civil employee taking such advance leave shall be entitled to full salary.

(10) In cases where the leave taken pursuant to Sub-rule (9) is insufficient and additional leave is required to be taken, the civil employee may, on recommendation of the medical board designated by the Government of Nepal, take the extra-ordinary leave for a maximum period of One year during the service period on the condition that it shall be deducted from the extra-ordinary leave to which he or she is entitled.

(11) In cases where a civil employee taking the advance sick leave pursuant to Sub-rule (9) dies, the sick leave so taken in advance shall *ipso facto* be remitted/exempted.

59. Maternity leave: (1) In cases where a female civil employee becomes pregnant, she shall be entitled to a maternity leave of Sixty days before and/or after delivery.

(1a)⁸¹ If a female civil employee who is on the maternity leave pursuant to Sub-rule (1) so wishes, she may so take the maternity leave without pay for an additional period of Six months in maximum as not to be deducted from any leave.

Provided that, the leave as referred to in Sub-rules (1) and (2) shall have to be taken continuously.

(1b)⁸² The period on which an employee has gone on the leave without pay pursuant to Sub-rule (1a) shall be added to the period of service.

(2) A female civil employee going on the maternity leave shall be entitled to get full salary.

(3) The maternity leave shall be given only for Two times during the service period.

(3a)⁸³ A civil employee who has got the maternity leave and the maternity care leave shall be given an infant care allowance in a lump sum of Five Thousand Rupees for each infant for a maximum of Two infants pursuant to Sub-section (3) of Section 32 of the Act.

(4) The concerned office shall have to maintain updated records of the maternity leave.

59A.⁸⁴ Maternity care leave: (1) In cases where the wife of a male civil employee is to deliver a baby, such an employee shall be entitled to a maternity care leave of Fifteen days before and/or after delivery.

(2) A civil employee going on the maternity care leave shall be entitled to get full salary.

(3) The maternity care leave shall be given only for Two times during the service period.

(4) A civil employee who has gone on the maternity care leave shall have to submit the birth registration certificate of the child within

81 Inserted by Seventh Amendment.

82 Inserted by Seventh amendment.

83 Inserted by Seventh Amendment.

84 Inserted by Seventh Amendment.

Three months after the date on which the employee has taken the leave to the office in which he is in service.

(5) The period of such a leave of the civil employee who fails to submit such a certificate within the period as referred to in Sub-rule (4) shall be deducted from other leave to which he is entitled.

(6) The concerned office shall have to maintain updated records of the maternity care leave.

60. Obsequies leave: (1)⁸⁵ If a civil employee who has to observe obsequies himself or herself as per the rites and rituals or if the father, mother, grand-father, grand-mother, or father-in-law, mother-in-law of such an employee dies or his wife dies in the case of a male civil employee, such an employee shall be entitled to an obsequies leave of Fifteen days. A female civil employee shall also be given the obsequies leave for Fifteen days if her husband has to observe obsequies.

(2) A civil employee going on the obsequies leave shall be entitled to full salary.

(3)⁸⁶ A civil employee going on the leave pursuant to Sub-rule (1) shall submit the death registration certificate of the deceased and the certification of relation with the deceased within Fifteen days after the date of attendance in the office after the leave.

(4)⁸⁷ The period of such a leave of the civil employee who fails to submit such a certificate within the period as referred to in Sub-rule (3) shall be deducted from other leave to which he is entitled.

85 Amended by Seventh Amendment.

86 Inserted by Seventh Amendment.

87 Inserted by Seventh Amendment.

61. Study leave: (1) A civil employee who is to go to pursue study, upon being selected in the open competition or inter-departmental competition by obtaining approval of the concerned Ministry or upon being nominated by the Government of Nepal for a foreign⁸⁸ scholarship available for the Government of Nepal in a subject that is useful and necessary for the civil service may get a study leave during the period of study.

(1a)⁸⁹ If a recommendation is made by the concerned body to make nomination for study in scholarship or quota received from any university within the country or any educational institute or faculty under it or at the expense of the Government of Nepal in any subject that is useful and necessary for the service, group, sub-group, and it is approved by the committee as referred to in Sub-section (3) of Section 40B. of the Act, a study leave may be granted to such a civil employee during the period of study.

(1b)⁹⁰ Even a civil employee who has obtained prior approval of the Government of Nepal in a manner to obtain scholarship from various countries or international organizations of which Nepal is a member in a subject that is useful and necessary for the service, group, sub-group in which the employee is in service, and been selected in the global competition and got an opportunity to take part in study or training in a foreign country shall be nominated pursuant to Sub-rule (1) and be granted the study leave for study and training deputation for training.

(2) A civil employee shall be entitled to the study leave for a maximum period of Three years at One time or various times during the service period.

88 Inserted by Seventh Amendment.

89 Inserted by Seventh Amendment.

90 Inserted by Seventh Amendment.

Provided that, if the Government of Nepal so considers necessary, it may add the period of the study leave for up to Two years.

(3) Notwithstanding anything contained in Sub-rule (2), any civil employee who has gone on the study leave for any study on nomination shall not be granted any additional study leave for the study of additional subject or for obtaining additional degree nor shall the extraordinary leave be granted.

(4) The civil employee going on the study leave shall be entitled to full salary.

(5) Any civil employee, who is going for study within and outside the country⁹¹ in a subject that is useful and necessary for the concerned group, sub-group, on personal effort with the prior approval of the Government of Nepal, may be granted the study leave pursuant to Sub-rule (2). Notwithstanding anything contained in Sub-rule (4), the employee going on such study leave shall not be entitled to salary.

(6) Any civil employee who has not served in the government service for Three years shall not be entitled to get the study leave.

Explanation: If a temporary service period of any civil employee has been included in his or her permanent service period pursuant to these Rules, such temporary service shall also be counted for purposes of this Sub-rule.

(7) In cases where a civil employee is nominated and deputed by the Government of Nepal to take a training that is essential for the implementation of any project or programme, he or she shall be sent on deputation for the whole period of such training and be paid full salary for such period.

⁹¹ Inserted by Seventh Amendment.

Provided that, such type of deputation shall be made only for the purpose of training, and training deputation shall not be granted to any employee sent to obtain an academic degree.

(8)⁹² A civil employee who has got the study leave to pursue study in an educational institute shall not be entitled to change that educational institution without obtaining prior approval. If the employee so changes the educational institution or does not study in that educational institution, his or her study leave shall ipso facto be cancelled. The concerned body shall give details of the leave so canceled to the Ministry of General Administration and the Civil Employees Record Office.

(9)⁹³ Once a study leave without pay has been sanctioned for study pursuant to this Rule, the period of that leave shall not be converted into the study leave without pay.

62. Extra-ordinary leave: (1) A civil employee shall have to submit an application, along with the reasons for taking the extra-ordinary leave; and if the reasons are found reasonable, the Government of Nepal may grant an extra-ordinary leave not exceeding One year at one time and up to Three years during the service period.

(2) A civil employee going on the extra-ordinary leave shall not be entitled to salary during that period.

Provided that, the civil employee going on the extra-ordinary leave pursuant to Sub-rule (10) of Rule 58 shall be entitled to full salary during the period of such leave.

92 Inserted by Seventh Amendment.

93 Inserted by Seventh Amendment.

(3) No civil employee shall be entitled to the extra-ordinary leave without completing Five years of government service period.

Provided that,

- (a) This Sub-rule shall not be deemed to prevent the taking of the extra-ordinary leave as an additional sick leave pursuant to Sub-rule (10) of the Rule 58.
- (b) A civil employee who intends to pursue study at his or her personal effort may get the extra-ordinary leave for a maximum period of Three years at one time or at various times, subject to Sub-rule (1), after completing Two years of service period.

(4) The period of extra-ordinary leave taken by any civil employee shall not be counted in his or her service period.

62A.⁹⁴ **Leave without pay:** (1) An employee who requests for the leave without pay as referred to in Section 71A. of the Act has to make an application, accompanied by an evidence of deputation of his or her wife or husband in the Nepalese embassy or any mission abroad.

(2) A civil employee may take the leave as referred to in Sub-rule (1) for a maximum period of Five years at one time or at several times.

(3) The leave as referred to in this Rule may be approved by the Government of Nepal.

63.⁹⁵ **Leave may be granted to serve in national and international organization or association:** In cases where any civil employee

94 Inserted by Seventh Amendment.

95 Amended by Seventh Amendment.

applies for leave to serve in a national and international⁹⁶ organization or association and if there exists a sufficient ground that it will also be useful to the Government of Nepal if he or she is sent to so serve, the Government of Nepal may grant permission to the employee to go on leave and join such service on the conditions that such period of leave is to be deducted from the extra-ordinary leave obtainable by him or her pursuant to Rule 62, by making a bond with him or her to the effect that he or she will return to perform the civil service.

63A.⁹⁷ **Provisions relating to bond:** A civil employee who goes for a study, training or study tour shall execute a bond as referred to in Schedule-12A., a civil employee who goes on the study leave pursuant to Sub-rule (5) of Rule 61 shall executed a bond as referred to in Schedule-12B., and a civil employee who goes to work in a national and international organization or association by taking the extra-ordinary leave shall execute a bond as referred to in Schedule-12C.

64. Procedures for requesting leave: (1) For the sanction of a leave, the civil employee shall have to submit an application to the official empowered to grant leave through his or her own office, in the format as prescribed in Scheduel-13, indicating the period of leave required for him or her, the reason for the same and other details if required to go abroad; and the official empowered to grant leave shall also have to give a notice of approval or disapproval of leave to such employee.

(1a)⁹⁸ The following leave, out of the leave requested for pursuant to Sub-rule (1), has to be approved or disapproved in the following period:

96 Amended by Seventh Amendment.

97 Inserted by Seventh Amendment.

98 Inserted by Seventh Amendment.

- (a) Within Seven days, in the case of the home leave and the sick leave,
- (b) Within Sixty days, in the case of the extra-ordinary leave and the study leave.

(1b)⁹⁹ If information of the decision of approval or disapproval of leave is not given within the period as referred to in Sub-rule (1), the leave shall be deemed to have been approved.

(2) The official empowered to grant leave may sanction the leave from the date preceding the date of application, if the official is satisfied with the following matters:

- (a) That it was not possible to obtain prior approval of the official empowered to grant leave,
- (b) That the applicant had made every attempt to obtain prior approval,

(3) While applying for the study leave, mainly the following matters shall have to be indicated, in addition to other matters:

- (a) Details of the subject intended to be studied by him or her,
- (b) Details of acceptance for admission to the university, institution or training centre where he or she intends to study,
- (c) Such other necessary details as may be helpful to the Government of Nepal in respect of such leave.

⁹⁹ Inserted by Seventh Amendment.

65. **Official empowered to grant leave:** (1) The following official may sanction the following leave:

	Type of leave	Official empowered to approve leave
(a)	Casual and festival leave	<u>Concerned Chief of Office or Head of Department</u> ¹⁰⁰
(b)	Home leave	<u>Concerned Chief of Office or Head of Department</u> ¹⁰¹
(c)	Sick leave	<u>Concerned Chief of Office or Head of Department</u> ¹⁰²
(d)	Maternity leave	<u>Concerned Chief of Office or Head of Department</u> ¹⁰³
(d1) ¹⁰⁴	Maternity care leave	Concerned Chief of Office or Head of Department
(e)	Obsequies leave	<u>Concerned Chief of Office or Head of Department</u> ¹⁰⁵
(f)	Study leave	The Government of Nepal
(g)	Extra-ordinary leave	The Government of Nepal

(2) The Government of Nepal shall sanction the leaves, other than the leave of the special class employees as referred to in Clause (a) of Sub-rule (1).

Provided that, the chief of a constitutional organ or commission may sanction the leaves other than the leaves set forth in Clauses (f) and (g) of Sub-rule (1), for the special class employees of the office of the constitutional organ or other commission.

100 Amended by Second Amendment.

101 Amended by Second Amendment.

102 Amended by Second Amendment.

103 Amended by Second Amendment.

104 Inserted by Seventh Amendment.

(3) Notwithstanding anything contained in Clause (a) of Sub-rule (1), the Head of Department or Chief of Office may himself or herself sanction his or her casual and festival leave.

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(4)¹⁰⁶ If any civil employee makes an application that that leave taken by him or her is not necessary for him or her, the official empower to sanction the leave may cancel such a leave and permit him or her to attend the office.

66. Leave not to be converted: A civil employee shall have to utilize the same leave which he or she has taken pursuant to this Chapter. In cases where one type of leave has been sanctioned earlier, such leave shall not be converted into another type of leave after such leave, except the obsequies leave or the maternity leave.

67.¹⁰⁷ Public holidays to be included: In cases where there falls a public holiday within the period of any type of leave taken by a civil employee, other than the casual and festival leave, home leave and sick leave, that period shall also be included in the leave taken by that employee.

68. Action to be taken for not attending office: Any civil employee remaining absent from the office without taking leave may be subject to being marked as an absentee and deduction of salary, and departmental punishment, as well. Such period of absence shall not be counted in the period of service.

69. Records of leave: (1)¹⁰⁸ The official empowered to grant leave shall cause to be maintained the records of leave of the civil employees working under him or her. Each office shall send the records of leaves other than the casual and festival leave to the Civil Employees Record Office and to the office responsible for salary expenses.

(2) In cases where any civil employee has been transferred or promoted from one office to another office, a notice of such transfer or

106 Inserted by Seventh Amendment.

107 Amended by Seventh Amendment.

108 Amended by Second Amendment.

promotion and a copy of the records of leave shall have to be sent to the current office. The records of such leave shall have to be maintained as per Schedule-14.

(3) A copy of the records of leave referred to in Sub-rule (2) shall also be given to the concerned employee. It shall be the responsibility of the concerned Department or Ministry of the civil employee to submit such records of leave while taking action for promotion.

70. **Substitution leave:** The civil employees serving in the offices such as airports, hospitals, fire brigade offices, post offices and museum offices where service is to be delivered on public holidays shall be entitled to a substitution leave for their service on public holidays; and they have to go on such leave by rotation within One month.
71. **Leave not matter of right:** Leave is not a matter of right, it is merely a privilege.

Chapter-10

Promotion

72. **Promotion Committees:** There shall be the following promotion committees for the following offices for making promotion to the non-gazetted posts, pursuant to Sub-section (2) of Section 20 of the Act:

- (a)¹⁰⁹ For the Commission for the Investigation of Abuse of Authority, Office of the Auditor General, Public Service Commission, Election Commission, Office of the Prime Minister and Council of Ministers, Secretariat of the National Planning Commission, Ministry, Ministry level central bodies and central level

¹⁰⁹ Amended by Seventh Amendment.

Departments, other than the courts and offices as referred to in Clauses (b), (c), (d), (e), (f), (g), (h), (i), (j), (k) and (l):

- (i) Gazetted first class official designated by the Public Service Commission -Chairperson
- (ii) Gazetted second class officer designated by the Secretary at the Ministry of General Administration -Member
- (iii) Chief of the administration section of the Ministry or body operating the service, group or officer designated by the Secretary or equivalent official -Member

(b) For Ministry of Law, Justice and Parliamentary Affairs:

- (i) Any official of the Nepal Judicial Service designated by the Chairperson of the Judicial Service Commission -Chairperson
- (ii) Gazetted first class officer designated by the Secretary -Member
- (iii) Chief of the Administration Section -Member

(c)¹¹⁰ For the district-based regional, zonal, district and area level offices under any Ministry, Secretariat or Commission other than the courts and offices as referred to in Clauses (a), (b), (d), (e), (f), (g), (h), (i), (j), (k) and (l):

¹¹⁰ Amended by Seventh Amendment.

- (i) Any official designated by the Public Service Commission -Chairperson
- (ii) Concerned Chief District Officer or officer designated by him or her -Member
- (iii) ¹¹¹Chief of the District Funds and Accounts Controller Office or the officer of that Office designated by him or her -Member
- (d) For the Supreme Court:**
- (i) Any official of Nepal Judicial Service designated by the Chairperson of the Judicial Service Commission -Chairperson
- (ii) Gazetted first class officer designated by the Registrar of the Supreme Court -Member
- (iii) Chief of the Administration Section or officer designated by Registrar of the Supreme Court -Member
- (e) For the Appellate Court:**
- (i) Chief Judge of the Appellate Court or Judge of the Appellate Court designated by him or her -Chairperson
- (ii) Registrar of the Appellate Court -Member
- (iii) Officer designated by the Registrar of the

¹¹¹ Amended by Seventh Amendment.

Appellate Court

-Member

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(f) For the District Court:

- (i) District Judge -Chairperson
- (ii) Officer designated by District Judge -Member
- (iii) District Attorney¹¹² of the District Government Attorney Office -Member

(g) For the Office of Attorney General:

- (i) Any official of Nepal Judicial Service designated by the Chairman of the Judicial Service Commission -Chairperson
- (ii) Officer designated by the Attorney General -Member
- (iii) Officer of the Administration Section -Member

(h) For the Appellate Government Attorney Office:

- (i) Joint Attorney¹¹³ of the Appellate Government Attorney Office -Chairperson
- (ii)¹¹⁴ Deputy Attorney¹¹⁵ of the Appellate Government Attorney Office -Member
- (iii) Officer of the Appellate Government Attorney Office designated by the Joint Attorney¹¹⁶ -Member

112 Amended by Seventh Amendment.

113 Amended by Seventh Amendment.

114 Amended by First Amendment.

115 Amended by Seventh Amendment.

(i) For the District Government Attorney Office:

- (i) District Judge -Chairperson
- (ii) District Attorney¹¹⁷ of the District Government Attorney Office -Member
- (iii) Officer designated by the Joint Attorney¹¹⁸ of the Appellate Government Attorney Office -Member

(j) For the Judicial Council Secretariat:

- (i) Any official of the Nepal Judicial Service designated by the Chairperson of the Judicial Service Commission -Chairperson
- (ii) Gazetted officer of the Judicial Council Secretariat designated by Secretary of the Judicial Council Secretariat -Member
- (iii) Chief of the Administration Section or officer designated by the Secretary of the Judicial Council Secretariat -Member

(k) For the Administrative Court:

- (i) Any official of the Nepal Judicial Service designated by the Chairperson of the Judicial Service Commission -Chairperson
- (ii) Officer designated by the Chairperson of -Member

116 Amended by Seventh Amendment.

117 Amended by Seventh Amendment.

118 Amended by Seventh Amendment.

the Administrative Court

- (iii) Officer designated by the Registrar of the Administrative Court -Member

(l) For the Revenue Tribunal:

- (i) Any official of the Nepal Judicial Service designated by the Chairperson of the Judicial Service Commission -Chairperson
- (ii) Chairperson of the Revenue Tribunal or member designated by him or her -Member
- (iii) Officer designated by the Chairperson of the Revenue Tribunal -Member

73.¹¹⁹ Provisions relating to secretariat of the promotion committee and

recommendation: (1) The Ministry of General Administration shall carry out the function of the secretariat of the promotion committee as referred to in Sub-section (1) of Section 20 of the Act for the gazette posts to be filled through promotion by the evaluation of work performance in accordance with Sub-section (1) of Section 7 of the Act and by adjustment of promotion by the evaluation of work performance and experience.

(2) The Ministry or body operating the service, group or sub-group shall perform the function of the promotion committee for the purposes of promotion as referred to in Clauses (a) and (b) of Rule 72.

(3) For the vacant posts in the bodies as referred to in Clauses (d), (g), (i), (j) and (k) of Rule 72, the body related with the vacant posts shall perform the function of the promotion committee.

¹¹⁹ Amended by Seventh Amendment.

(4) In the case of vacant posts in the courts and district-based regional, zonal, divisional, district and area level offices:

(a) The court or government attorney office designated by the Chief Judge of the concerned Appellate Court shall perform the function of the promotion committee for the non-gazetted posts vacant in the court and government attorney office.

(b) The following office shall perform the function of the promotion committee for the vacant non-gazetted posts other than those mentioned in Clause (a):

(1) The District Administration Office of the concerned district for the technical and non-technical officers of the services, groups or sub-groups other than the administration service, accounts group,

(2) The Funds and Accounts Controller Office for the administration service, accounts group.

74. Publication of notice on fulfillment of post and application: (1)

After the determination of percentage of fulfillment and number of posts pursuant to Rule 14, the Public Service Commission shall publish a notice, along with the details of posts subject to promotion through evaluation of work efficiency and adjustment of promotion by evaluation of work performance and experience.¹²⁰ However, it shall be the function of the secretariat of the concerned promotion committee to

¹²⁰ Inserted by Seventh Amendment.

publish such a notice and collect applications in the case of the non-gazetted posts.

(2) The notice to be published pursuant to Sub-rule (1) shall also state the period of service required for the post subject to promotion, period for calculating seniority to become eligible candidate (calculated from the last day of the month of *Ashad* (mid-July), educational qualification, details and number of the posts subject to promotion, office of the vacant post, time limit and place for submission of the application.

(3) The concerned candidate shall have to submit an application in the format as determined by the Public Service Commission within the time limit as prescribed in the notice as referred to in Sub-rule (1). In respect of the gazetted¹²¹ posts, the Public Service Commission shall have to send the applications so submitted to the secretariat of the concerned promotion committee to initiate proceedings on recommendation for promotion.

74A.¹²²

75.¹²³ **Special provision relating to educational qualification:** (1) In cases where any service or group is constituted in the civil service, even though the educational qualification of any subject has been fixed for entry into service in such a service or group, in the case of the civil employees who have been in service since before the constitution of the service or group and group in the new service or group, the minimum educational qualification in the subject related with the then service, group obtained by them while entering into the service shall be counted for the purposes of promotion.

121 Amended by First Amendment.

122 Inserted by the Fourth Amendment and repealed by Seventh Amendment.

(2) Even though the minimum educational qualification specified for any post at the time of entry into service is changed subsequently, the educational qualification specified at the time of his or her entry into service shall be considered to be the minimum educational qualification in the case of him or her.

76. Potential candidate for promotion: (1) For the promotion through evaluation of competency to the vacant posts of the civil service, group or sub-group, the employees having completed the service period as referred to in Clause (b) of Sub-section (1) of Section 21 of the Act¹²⁴ in the post that is one level lower than the vacant post under the concerned service, group or sub-group shall become potential candidates, in the case of gazetted posts. For such promotion to the non-gazetted posts, the following employees who have completed the required service period for such promotion shall become potential candidates:

(a)¹²⁵ In the case of the vacant posts in the bodies as referred to in Clauses (a), (b), (d), (g), (j), (k) and (l) of Rule 72:

(1)¹²⁶ For the vacant post of non-gazetted first class, all civil employees working in the one class lower post of the concerned service, group or sub-group in all Ministries, Secretariats or Commissions and Departments and central level offices thereunder.

123 Amended by Seventh Amendment.

124 Amended by Seventh Amendment.

125 Amended by First Amendment.

126 Amended by Seventh Amendment.

- (2) For the vacant post of non-gazetted second and third classes all employees working in the one class lower post of the concerned service, group or sub-group in the Ministry, Secretariat, Commission, Department or central level office having the vacant post.
- (b) In the case of the vacant posts in ¹²⁷ the court and district based regional, zonal, division, district and area level offices:
- (1) For the vacant post in the court and the government attorney office, all employees who are working in the one class lower post of the concerned service, group¹²⁸ in the court and the government attorney office in the concerned district, and who have completed the service period.
- (2)¹²⁹
- (3) For the vacant¹³⁰ non gazette post other than that referred to in Sub-clause (1), all employees who are working in the one class lower post of the concerned service, group or sub-group in all offices situated in that district, and who have completed the service period.

127 Amended by Seventh Amendment.

128 Inserted by Seventh Amendment.

129 Deleted by Seventh Amendment.

130 Deleted by Seventh Amendment.

- (c) Notwithstanding anything contained in Clauses (a) and (b), even though, after the determination of percentage of fulfillment of posts and the allocation of the number of posts for promotion pursuant to Rule 14, an incumbent employee is transferred to another office prior to the allocation of number of posts, such employee shall not be deprived of being a potential candidate for promotion to the post allocated in his or her previous office (prior to transfer).

77. Promotion on the basis of competency: The evaluation of competency of a civil employee shall be made pursuant to Section 24 of the Act and the civil employee who secures the highest marks shall be promoted first of all.

Provided that, in respect of the civil employees securing equal marks on the evaluation of competency, promotion shall be made on the basis of seniority; and the determination of seniority of such employees shall be made on the following basis:

- (a) On the basis of the date of appointment or decision for promotion in the class of post held at the moment,
- (b) On the basis of date of appointment or decision for promotion in the class that is one level lower than such class if seniority cannot be determined pursuant to Clause (a),
- (c) On the basis of the merit list recommended by the Public Service Commission if seniority cannot be determined on any basis mentioned in Clauses (a) and (b).

Provided that, in cases where recommendation of the open competition and that of the competition for promotion have been received from the Public Service Commission on the same date, the seniority of an employee recommended through open competition shall be maintained.

77A.¹³¹ Adjustment of promotion by evaluation of performance and

experience: (1) In making adjustment of promotion by the evaluation of performance and experience pursuant to Sub-section (1) of Section 7 of the Act, the promotion committee as referred to in Section 20 of the Act shall, on the following basis, adjust the senior-most civil employee from amongst the civil employees who have been promoted pursuant to Section 24D1. of the Act:

- (a) On the basis of the date of seniority in the class of post held at the moment,
- (b) On the basis of date of appointment or decision for promotion in the class that is one level lower than such class if seniority cannot be determined pursuant to Clause (a),
- (c) On the basis of the merit list recommended by the Public Service Commission or the promotion committee if seniority cannot be determined on any basis mentioned in Clauses (a) and (b).

Provided that, in cases where recommendation of the open competition and that of the competition for promotion have been received from the Public Service Commission on

the same date, the seniority of an employee recommended through open competition shall be maintained.

(2) In making adjustment pursuant to Sub-rule (1), in the case of a civil employee serving in the post of typist, the employee shall be qualified for adjustment in the post set aside for the service, group for which service, group under the non-technical segment training has been taken.

78. Evaluation of work performance: ¹³² (1) The work performance evaluation form to be used for the evaluation of annual work performance of the non-gazetted ¹³³ civil employees shall be as mentioned in Schedule-15, and the work performance evaluation form to be used for the evaluation of half-yearly and annual work performance of the gazetted civil employees ¹³⁴ shall be as mentioned in Schedule-15A.

(2) ¹³⁵ For the evaluation of work performance of a civil employee, the concerned employee who is one class higher than the employee whose work performance is to be evaluated shall be the supervisor and the concerned employee who is one class higher than the supervisor shall be the reviewer.

Provided that,-

(a) A non-gazetted employee shall not be the supervisor of a non-gazetted employee except

131 Inserted by Seventh Amendment.

132 Amended by Second Amendment.

133 Inserted by Seventh Amendment.

134 Amended by Seventh Amendment.

135 Amended by Seventh Amendment

where a non-gazetted employee is the Chief of Office.

- (b) In cases where there is no gazetted employee to be the reviewer of the gazetted employee in the offices located at district, the officer designated by the chairperson of the review committee shall be the reviewer.
- (c) In cases where the gazette special class employee is the supervisor of any gazetted employee, he or she shall also act as the reviewer.
- (d) The employee working as the Chief of Office or Head of Department may also act as the supervisor for the evaluation of work performance of an employee of the same class working under him or her.

Explanation: In cases where an employee who is to be evaluated and an employee acting as his or her supervisor are of the same level and both of them are potential candidates for promotion in the same service, group or sub-group, for the evaluation of work performance of such employee, the employee working as such supervisor shall have to submit such work performance evaluation form, along with his or her written views taking into account the above-mentioned matters to the reviewer or to the employee of the class higher than that of him or her for supervision.

- (e) The chief secretary shall act as the supervisor and reviewer as well as the promotion committee for the evaluation of work performance of the civil employees serving in the gazette special class and the civil employees serving as acting in the post of special class¹³⁶.

(3)¹³⁷ There shall be the following review committee for the evaluation of work performance of the non-gazetted employees:

- (a) Secretary of the concerned Ministry, Secretariat or Commission and or officer designated by the concerned Head of Department -Chairperson
- (b) The concerned reviewer -Member
- (c) The concerned supervisor -Member

(4) There shall be the following review committee for the evaluation of work performance of the gazetted first class civil employees, and in cases where the official as referred to in the following Clauses (b) and (c) is the same person, Secretary at the Secretariat of the Council of Ministers shall also be a member of that committee:

- (a) Chief Secretary -Chairperson
- (b)¹³⁸ Secretary or special class officer of the concerned Ministry, Secretariat, Commission, Department or Office -Member

136 Inserted by Seventh Amendment.

137 Amended by First Amendment.

138 Amended by First Amendment.

- (c) Secretary of the Ministry relating
to the service, group
-Member

(4a)¹³⁹ Notwithstanding anything contained elsewhere in this Rule, in cases where such a post is vacant in the body of which chief is an official of special class post or where acting has been designated to such a post, the evaluation of work performance of the gazette first class civil employees of such a body and the Head of Department under that body shall be made by the following officials:

- (a) Supervisor and reviewer Secretary at the Office
of Prime Minister and
Council of Ministers
- (b) Review committee
- (i) Chief Secretary -Chairperson
- (ii) Secretary at the Ministry
of General
Administration -Member
- (iii) Secretary at the Office
of Prime Minister and
Council of Ministers -Member

Provided that, in cases where the Secretary at the Ministry of General Administration is acting one, the senior-most secretary shall represent as a member of the review committee, in the place of the Secretary at the Ministry of General Administration.

¹³⁹ Inserted by Seventh Amendment.

(5)¹⁴⁰ There shall be the following review committee for the evaluation of work performance of civil employees of gazetted second class and third class:

- (a) Secretary or special class officer of the concerned Ministry, Secretariat, Commission or Office -Chairperson
- (b) Secretary of the Ministry relating to the service, group or gazetted first class officer of the concerned Ministry, Secretariat, Commission or Office, designated by him or her -Member
- (c) Gazetted first class officer of the Ministry of General Administration -Member

Provided that, in cases where all three officials of the review committee are from the same Ministry, the officer to be designated as per Clause (b) shall be designated from another Ministry.

(6)¹⁴¹

(7) The supervisor, reviewer and review committee shall give marks for the work performance of an employee in consonance with the grounds set forth in the work performance evaluation form.

(7a)¹⁴² In cases where a retired civil employee has been reinstated by a court decision, such an employee shall be given marks in the ratio of marks secured by him or her in the evaluation of work performance of the year immediately preceding his or her retirement.

140 Amended by First Amendment.

141 Deleted by Second Amendment.

Provided that, in respect of the civil employees who have been reinstated before the end of the month of *Asadh* (Mid June), while evaluating the work performance of such employees, evaluation shall be made taking as total period of that year.

(8) The review committee may follow the following procedures in respect of the work performance evaluation form of the gazetted employees:

- (a) To examine the submitted work performance evaluation forms and maintain harmony between the work performance and the distribution of marks in such forms,
- (b) To consider the inter-relationship between the aggregate achievement of any agency and the evaluation of work performance of the employee serving in such body,
- (c) If it is found necessary to do so, to seek clarification from the reviewer or the supervisor on the submitted work performance evaluation forms or send them back to them for reconsideration,
- (d) If the clarification re-submitted on the work performance evaluation form is not rational or even the marks stand unchanged, the review committee is to make comments on this and write to the concerned agency to maintain records of such supervisor or reviewer.

(8a)¹⁴³ If the review committee has to grant marks more than Ninety-five percent and less than Seventy-five percent for the evaluation of work performance to any civil employee, the reason for the same shall be mentioned clearly.

(9)¹⁴⁴ While calculating marks of the evaluation of work performance after the commencement of these Rules, the average marks shall be calculated on the basis of the evaluation of work performance of the previous fiscal years for promotion.¹⁴⁵

78A.¹⁴⁶ **Evaluation of work efficiency:** (1) For the purposes of Clauses (a) and (b) of Sub-section (2) of Section 19 of the Act, the evaluation of work efficiency shall be made on the following basis:

- (a) The result and quality of work of the currently working authority when the official to be promoted had given leadership or performed the work in his or her previous post.
- (b) The creativeness and initiation shown by the official to be promoted while performing the work.
- (c) The commitment and discipline of the official to be promoted towards the work.

78B.¹⁴⁷ **Period for evaluation of work performance:** (1) A civil employee shall fill up his or her work performance evaluation form, register it with the office and submit it to the supervisor within Seventh day of the month of *Shrawan* (Third week of July) of each year. After the form is

143 Inserted by Second Amendment.

144 Amended by Second Amendment.

145 Deleted by Seventh Amendment.

146 Inserted by Second Amendment.

147 Amended by Seventh Amendment.

so registered with the office, a receipt of registration has to be given to the concerned employee.

(2) The supervisor shall make evaluation and submit the same to the reviewer within the last day of the month of *Shrwan* (Mid August).

(3) A gazette civil employee shall fill up his or her half-yearly work performance evaluation form, register it with the office and submit it to the supervisor within Seven days after the expiration of each half-yearly period. The supervisor shall make evaluation of the half-yearly work performance evaluation form and give feedbacks to the concerned employee within another Seven days. A gazette civil employee shall also submit to the supervisor the half-yearly work performance evaluation form, along with the yearly work performance evaluation form.

(4) In evaluating the yearly work performance evaluation form of a gazette civil employee, the supervisor shall also take the half-yearly work performance evaluation forms filled up pursuant to Sub-rule (3) as the basis.

(5) The reviewer shall review the work performance evaluation form received pursuant to Sub-rule (2) and deliver it to the review committee within the Fifteenth day of the month of *Bhadra* (Second week of September). The review committee shall make review and deliver the form to the promotion committee and the Public Service Commission within the last day of the month of *Bhadra*. The body serving as the secretariat of the review committee shall publish the details and name-list of the civil employees so evaluated by the committee on its notice board and also in the website to the extent available.

(6) The promotion committee shall not be bound to hold its business by the reason that the work performance evaluation form of any civil employee has not been submitted or delivered in time.

(7) In registering the work performance evaluation form after the addition of the time-limit pursuant to Sub-section (6A.) of Section 24A. of the Act, it has to be registered with the office currently in service within that fiscal year. If the work performance evaluation form is registered after that fiscal year, such a form shall not be recognized.

Provided that, the work performance evaluation omitted for the years before the commencement of this Rule has to be registered and evaluated within Three months after the date of the commencement of this Rule.

(8) If any civil employee does not fill up the work performance evaluation form of any year, Fifty percent marks of the full marks shall be granted to him or her for that fiscal year for the work performance evaluation of that fiscal year.

(9) Notwithstanding anything contained in Sub-rules (1), (2), (3), (4) and (5), where a civil employee has register his or her work performance evaluation form and submitted it to the supervisor within the period but the concerned evaluators have not evaluated it within the period, the concerned Head of Department shall, setting out a proper and reasonable reason, may get it evaluated by the incumbent evaluator with the consent of the concerned Ministry, in the case of a non-gazetted civil employee, and that of the Ministry of General Administration, in the case of a gazetted civil employee.

Provided that,

- (1) In the case of a non-gazetted civil employee of a Ministry or Ministry level central body, the Secretary of the concerned Ministry or Ministry level central body may cause evaluation to be made by the incumbent evaluator.
- (2) In the case of a civil employee of Nepal Judicial Service, the concerned Head of Department may cause evaluation to be made by the incumbent evaluator.

(10) The chief and the chief responsible for personnel administration of the concerned body shall be responsible for holding a meeting of the review committee for the evaluation of work performance of the civil employees.

(11) If there exists a circumstance that the meeting of the review committee cannot be held within the prescribed period because of the post of Head of Department of anybody being vacant at the time of holding the meeting of the review committee making evaluation of the work performance of the civil employees up to the gazette second class, the Secretary of the Ministry of General Administration shall designate the senior-most officer, out of the gazette first class civil employees serving in the same body, to act as the chairperson of the review committee and cause the work performance evaluation to be made in time.

78C.¹⁴⁸ Grounds for making work performance evaluation: (1) In the course of evaluating the work performance of civil employees, the supervisor shall make such evaluation of the following grounds:

¹⁴⁸ Inserted by Seventh Amendment.

- (a) To give a maximum of excellent grade marks, without giving most excellent grade marks, for one appropriate segment out of the four segments (cost, time, quantity and quality), to a civil employee who remains absent for more than Thirty consecutive days without getting a leave approved or without making an application for leave,
- (b) To give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quality of work, to a civil employee who has been awarded the punishment of censure or withholding of grade or promotion in respect of the year in which he or she has been awarded that punishment,
- (c) In cases, except where a civil employee has obtained certification by the Funds and Accounts Controller Office that a circumstance beyond his or her control has arisen in relation to any advance obtained by him or her, where the civil employee has not been able to settle the advance within Six months, subject to the laws in force relating to financial administration and settlement of advances, to give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quality of work, to such an employee.
- (d) Where a civil employee holding the post of Chief of Office or Head of Department or chief of project has not been able to achieve Fifty percent goal or

result throughout the year despite the sanction of funds and approval of programmes during the first four monthly period of a fiscal year, to give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quality of work, to such an employee,

- (e) The goal of business to be performed by a civil employee holding a post other than the post of Chief of Office shall be determined by a collective meeting of employees within the first four monthly period of each year. In making evaluation of a civil employee who fails to achieve Fifty percent goal so determined, to give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quantity of work as referred to in Clause (d), to such an employee,

Provided that, if the goal specified in Clauses (d) and (e) could not be achieved due to other reason than that of the concerned employee, the marks shall not be decreased.

- (f) If there is any evidence that any civil employee has done an undisciplined act, to give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quantity of work,
- (g) To give a maximum of excellent grade marks, without giving most excellent grade marks, on any one of the two grounds relating to the overall

quantity and quality of work to a civil employee who does not fill up the half-yearly work performance evaluation form within the time-limit as referred to in Sub-rule (2) of Rule 78B. and a civil employee who does not evaluate the yearly and half yearly work performance.

(2) Where, in reducing marks on the grounds as referred to in this rule, marks are to be reduced in relation to the same civil employee on more than one ground, it shall not be required to reduce marks on more than two grounds out of the four grounds in One year.

(3) If it appears that marks have not been reduced accordingly despite the existence of the reasons as referred to in Sub-rule (1), on mark shall be reduced in the evaluation of the work performance of such an evaluator.

(4) Even if marks are to be reduced pursuant to Sub-rule (1), there shall be attached documents accompanied by clear reasons for the same.

79.¹⁴⁹

80.¹⁵⁰

80A.¹⁵¹ Details of geographical regions: For the purpose of granting marks for the evaluation of experience for work carried out by the civil employees in different geographical regions, the details of geographical regions shall be as set forth in Schedule-16.

149 Repealed by Second Amendment.

150 Repealed by Second Amendment.

151 Inserted by Second Amendment.

80B.¹⁵² **Marks of geographical region to be obtained in the event of reinstatement:** If any civil employee continues the work upon reinstatement after having retired from the civil service, in granting marks for the work carried out by him or her in the geographical region for the year of his or her retirement, marks shall be granted as applicable for the same category of geographical region as from which he or she has retired pursuant to Sub-section (4)¹⁵³ of Section 24C. of the Act.

Provided that, the marks of geographical regions of category "d"¹⁵⁴ shall be granted for the remaining period.

80C.¹⁵⁵ **Marks of geographical region during the period of foreign training:** If any civil employee has gone for a foreign training for a period exceeding Two months at one time or several times, half marks of the marks specified for category "d" pursuant to Sub-section (5) of Section 24C. of the Act for the geographical region for the period of such training shall be given to such an employee, and marks equal to that of category "d" shall be given to any civil employee who has for a foreign training for a period of Two months or less than Two months.

81.¹⁵⁶

81A.¹⁵⁷ **Attested copy of educational qualification and training to be submitted:** After entering into the civil service, any civil employee shall be submit the certificate of educational qualification awarded by a foreign university in any manner within Three months from the date of such award except the certificate of educational qualification awarded

152 Inserted by Second Amendment.

153 Amended by Seventh Amendment.

154 Amended by Seventh Amendment.

155 Inserted by Seventh Amendment.

156 Repealed by Second Amendment.

157 Inserted by Second Amendment.

by a foreign university or recognized educational institution upon being nominated by the Government of Nepal. While submitting such a certificate, the following documents shall be submitted compulsorily:

- (a) Mark-sheet.
- (b) Certificate.
- (c) Evidence of taking leave indicating the period
- (d) Transfer certificate.
- (e) Certificate of equivalency.
- (f) Examination programme indicating the date and time.
- (g) Receipt or proof of payment of examination fee and admission card or any other evidence relating thereto.

81B.¹⁵⁸ Certification of certificate of educational qualification: (1) A civil employee who enters into the service upon being permanently appointed to the civil service shall, for the certification of certificate of educational qualification obtained by him or her, himself or herself certify Two duplicate copies of the marks sheet and certificate of the educational qualification obtained by him or her and submit the same within Thirty Five days after the date of his or her joining the office where he or she has been appointed to.

(2) Provision of Sub-section (1) shall also apply in cases where any civil employee has obtained and submitted the certificate of additional educational qualification after he or she has entitled into the service or for promotion.

¹⁵⁸ Inserted by Seventh Amendment.

(3) Upon receipt of duplicate copies of a certificate pursuant to Sub-rules (1) and (2), the concerned office shall forward them to the concerned Ministry or Ministry level central body within Two months.

(4) Upon receipt of the certificate pursuant to Sub-section (3), the concerned central body shall, for the purpose of certification, send the certificate of educational qualification obtained by any educational institution within the country to the concerned university or council or board and the certificate of educational qualification obtained from a foreign university or educational institution to the concerned foreign university, council or board through the university or Higher Secondary Education Council or Council for Technical Education and Vocational Training recognized by the laws in force.

(5) The concerned central body shall, upon being certified pursuant to Sub-rule (4), give information thereof to the concerned employee, the office where he or she is in service and the Civil Employees Record Office and update the records thereof.

81C.¹⁵⁹ Marks for educational qualification and training: (1) While granting marks for the educational qualification or training pursuant to Section 24D. of the Act, marks shall be granted on the basis of the division mentioned in the certificate of educational qualification or training.

(2) In the case of the educational qualification of which division is not set out, the division determined by the Tribhuvan University or other university of Nepal on the basis of marks obtained or the division according to the policy thereon shall be set.

¹⁵⁹ Inserted by Seventh Amendment.

(3) Marks of second vision shall be given for the educational qualification of which division is not set out pursuant to Sub-rules (1) and (2).

(4) Marks of second vision shall be given for the training of which division is not set out in the concerned certificate.

82.¹⁶⁰

83.¹⁶¹

84. **Date of promotion and promotion appointment:** (1) After the publication of a promotion name-list in accordance with Sub-section (4) of Section 20 of the Act,¹⁶² the candidates recommended for promotion shall not be given appointment but shall be put in a waiting list until Thirty Five days from the date of publication of that name-list, for the purposes of complaint against promotion. If no complaint is filed against such recommendation of promotion, appointment shall have to be given, with seniority being fixed in the class to be promoted from the date of the Thirty-sixth day (next day of the lapse of time limit for filing complaint) of the publication of that name-list.

(2) In cases where a complaint is filed against the promotional recommendation in accordance with Section 24F. of the Act,¹⁶³ appointment shall have to be given by fixing the date of seniority as follows:

(a) In cases where a decision has been made to amend the promotional recommendation in accordance

160 Repealed by Second Amendment.

161 Repealed by Second Amendment.

162 Amended by Second Amendment.

163 Amended by Second Amendment.

with Sub-section (2) of Section 24F. of the Act,¹⁶⁴
from the date of publication of the name-list so
amended.....¹⁶⁵

(b) In cases where a complaint has been repealed or the original promotional recommendation has been confirmed, from¹⁶⁶ the date of the Thirty-sixth day of the first publication of the promotional recommendation, and

(c)¹⁶⁷ In cases where a complaint is made with the court in relation to any promotion and the promotion is voided and a decision on promotion is made again the promotion committee, from the date of last decision made by the promotion committee.

(3)¹⁶⁸ If promotion is to be made pursuant to Section 20a. of the Act within Thirty-five days after the date of publication of the promotion name-list pursuant to Sub-rule (1), the promotion committee may not include the name-list of such employees in the promotional recommendation.

85. Powers of promotion committee to make necessary arrangements: In case where, in taking action on promotion to the gazetted posts, there arises any unforeseen difficulty on a matter not incorporated in this Chapter or any matter, despite its being incorporated in this Chapter, in respect of which the rule does not make any hint on action, the promotion committee may make necessary

164 Amended by Second Amendment.

165 Deleted by Seventh Amendment.

166 Amended by Seventh Amendment.

167 Inserted by Seventh Amendment.

168 Inserted by Seventh Amendment.

interpretation or arrangement, without prejudice to the objectives of the Act and these Rules. Such interpretation or arrangement shall have to be sent to all concerned agencies for guidance.

86. Advertisement for promotion through internal competitive

examination: The Public Service Commission shall have to publish an advertisement for the information of the concerned candidates for the fulfillment of the gazetted posts to be fulfilled by ¹⁶⁹ promotion through internal competitive examination, as per the percentage determined pursuant to Rule 14. Such advertisement shall have to indicate, *inter alia*, the number and details of posts to be promoted to, required educational qualification and period of service, deadline for application and place for submission of application.

87.¹⁷⁰ Provision of candidacy in examination of promotion through

internal competition: (1) For the promotion through internal competitive examination as per the advertisement published pursuant to Rule 86, the civil employees having completed the service period and having possessed the educational qualification as referred to in Section 21 of the Act in the post that is one level lower than the vacant post, in the concerned service, to which promotion is made shall be become potential candidates.

87A.¹⁷¹ Special provision relating to promotion: (1) While promoting any

civil employee pursuant Section 20A. of the Act, the Government of Nepal, Council of Ministers shall make decision for making promotion to the posts of gazette first class and above, and the Secretary of the concerned Ministry, Secretariat, or Commission shall make decision for making promotion below gazette first class.

169 Deleted by Seventh Amendment.

170 Amended by Seventh Amendment.

171 Amended by Seventh Amendment.

(2) In making promotion pursuant to Sub-rule (1), inquiry shall be made about the continuity of service and age of the employee from the concerned Head of Department or Chief of Office and the Civil Employees Record Office, and the information thereof shall be given to the Ministry of General Administration and the Civil Employees Record Office.

(3) A civil employee who is promoted to the post that is one class higher pursuant to Section 20A. of the Act shall be provided with facilities not less than those receivable by him or her while getting retirement from the lower post.

87B.¹⁷² Promotion through evaluation of work performance and experience: (1) The promotion through the evaluation of work performance and experience pursuant to Section 24D1. of the Act shall be as follows:

- (a) The Ministry operating the concerned service, group shall publish a notice inviting applications from the civil employees who have completed the service period pursuant to Sub-section (1) or Sub-section (2) of Section 24D1. of the Act, specifying the period of Thirty days, on the first day of the month of *Ashwin* and the first day of *Chaitra* each year.

Provided that, application shall be invited within Seven days after the commencement of these Rules for the first time after the commencement of these Rules.

¹⁷² Inserted by Seventh Amendment.

- (b) Within Sixty days after the expiration of the period for the submission of application forms, the concerned promotion committee shall examine all application forms received and make recommendation for promotion within the month of *Poush* and that of *Ashad* in a manner that the seniority is effective from the first day of the month of *Magha* and that of *Shrwan*.
- (c) The notice on recommendation for promotion pursuant to Clause (b) shall be made public. A civil employee who is not satisfied with the recommendation may make a complaint in the Public Service Commission within Twenty-one days.
- (d) If, in examining complaints made pursuant to Clause (c), any civil employee is to be promoted, the Public Service Commission shall also include the name of such an employee in that promotion and recommend for making promotion.
- (e) In the course of hearing a complaint, the Public Service Commission may review the recommendation for promotion within Fifteen days after the date of complaint on promotion, also in the case of the civil employees recommended by the promotion commission.

(2) Notwithstanding anything contained in Sub-rule (1), if an employee whose name is included in the name-list for promotion pursuant to this Rule is also included in the promotion through the evaluation of work efficiency prior to receiving promotional

appointment, the employee shall be caused to make a choice and appointed in any one promotion, within Fifteen days after the date of publication of the promotion name-list pursuant to this Rule.

88.¹⁷³ Fulfillment of post of typist and promotion: (1) Notwithstanding anything contained elsewhere in this Chapter, the fulfillment of vacant posts of typist of the civil service and the promotion of the civil employees serving in the post of typist shall be made as per the "typist categorization planning" and procedures as prescribed by the Government of Nepal from time to time, by publishing a notice in the Nepal Gazette.

(2) Notwithstanding anything contained in Sub-rule (1), the typist civil employees shall be entitled to be potential candidates for the promotion of non-gazetted posts under the non-technical segment of the concerned service.

Provided that, the provision of this Rule shall not bat the promotion on the basis of work performance and experience.

(3) In order to be a potential candidate as referred to in Sub-rule (1), the concerned civil employee shall have to obtain such training of at least One month in a subject related with the service as operated by the Government of Nepal or a body specified by the Government of Nepal and the minimum educational qualification required for the post to be promoted to.

(4) If the post of typist falls vacant upon promotion pursuant to this Rule or for any other reason whatsoever, and the concerned office writes to maintain that post or convert it into the post of computer operation within One month, the Ministry of General Administration

¹⁷³ Amended by Seventh Amendment.

shall make decision to maintain that post or convert it into the post of computer operator within Fifteen days.

(5) If action is not taken to maintain the post or make conversion of post within the period as referred to in Sub-rule (4), such a post shall lapse.

(6) The provisions relating to promotion as contained in Sub-rules (1), (2) and (3) shall also apply to the civil employees serving in the posts of computer operator and assistance computer operator.

89. Basis of promotion in competitive examination: While making promotion to the vacant posts of civil service through internal¹⁷⁴ competitive examination pursuant to Rule 87, the promotion shall be made on the basis of recommendation made from amongst the successful candidates in the examination held by the Public Service Commission.

89A.¹⁷⁵ Provision relating to auto promotion: (1) In maintaining the civil employee of the non-gazetted Fourth class in the post of the gazetted Third class pursuant to Sub-section (2) of Section 7 of the Act, the post of non-gazetted Third class shall *ipso facto* be created in the body in which such employee is serving, and the concerned body shall register the post so created within the Civil Employees Record Office.

(2) The Chief of Office shall make promotional appointment to the post so created of the non-gazetted employees who have completed the service period required for the post to be promoted to and possessed the minimum education qualification prescribed at the time of entering into service in the current post, as required for making auto promotion pursuant to Sub-section (3) of Section 7 of the Act, and write to the

¹⁷⁴ Deleted by Seventh Amendment.

¹⁷⁵ Inserted by Seventh Amendment.

Civil Employees Record Office for the registration of the Non-gazetted Second class post so created.

(3) For the civil employee who has become redundant or been placed in the position in the additional group in the Ministry of General Administration and been deputed to another body, the higher post shall *ipso facto* be created in the office where he or she is serving. In making auto promotion of such an employee, promotion shall be made pursuant to Sub-rules (1) and (2) also on the basis of his or her letter of permanent appointment and the evidence of registration of the sheet roll with the Civil Employees Record Office.

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Provided that, of such employee has been deputed in a temporary position or a body having no post of the civil service, the position of higher level shall be created in the body where he or she is in redundancy or in the Ministry of General Administration.

(4) The concerned Chief of Office shall have power and responsibility to take action for promotion pursuant to this Rule.

(5) A civil employee who is not satisfied with the action relating to promotion to be made pursuant to this Rule may make a petition to the authority higher than the authority to take action for promotion.

(6) If a petition is made pursuant to Sub-rule (5), final decision on the matter of the petition shall be made within Thirty Five days after the date of petition.

89B.¹⁷⁶ **Adjustment of promotion:** (1) In cases where, upon a case being filed in a court in relation to any promotion, the promotion of a civil employee who was previously promoted is not maintained and another advertisement has been made between the date of previous promotion and that of judgment by the court voiding the promotion and the civil employee whose promotion is so voided can be promoted in that advertisement, the civil employee who is substituted upon the promotion being so voided shall be appointed by promotion to the vacant post if any and in a manner that his or her post is to be adjusted subsequently with the post of the concerned service, group if the post is not vacant.

(2) In making promotion pursuant to Sub-rule (1), the promotion committee shall re-evaluate the grounds of promotion of such a civil employee between the period from the advertisement to the voidance of

¹⁷⁶ Inserted by Seventh Amendment.

promotion of the employee and recommend for promotion according to the order of merit where the promotion name-list has not yet been published and where the employee is in a position to obtain more marks than that obtained by one who has got the minimum marks in that advertisement if the promotion name-list has already been published.

(3) The seniority of a civil employee who is recommended for promotion pursuant to Sub-rules (1) and (2) shall be maintained as that of the other civil employees who have been recommended in the same advertisement as from which his or her promotion is to be maintained.

90. Inapplicability of age bar: Age bar shall not be applicable to a civil employee for being a candidate for promotion.

91.¹⁷⁷ Provisions relating to leadership evaluation: (1) There shall be formed a leadership evaluation committee for the evaluation of leadership of the civil employees of gazette special class:

- (a) Chief Secretary of the Government of Nepal -Coordinator
- (b) Administration and management expert designated by the Government of Nepal -Member
- (c) Executive Director of Nepal Administrative Staff College -Member

(2) There shall be formed a leadership evaluation committee for the evaluation of leadership of the civil employees of gazette first class:

- (a) Chief Secretary of the Government of Nepal -Coordinator
- (b) Senior-most Secretary of the Government of Nepal -Member

¹⁷⁷ Inserted by Seventh Amendment.

- (c) Secretary at the Ministry of General Administration -Member
- (d) Administration and management expert designated by the Government of Nepal -Member
- (e) Executive Director of Nepal Administrative Staff College -Member

(3) The committee as referred to in Sub-rules (1) and (2) shall evaluate the leadership capacity of the gazette first class civil employees who have completed the service period required for being potential candidates for promotion to the gazette special class posts until the last day of the month of *Ashad* each year and submit a report to the Government of Nepal within the month of *Ashad* of each year. The concerned body shall provide the information required for this committee.

(4) In making evaluation of leadership, the leadership evaluation committee shall make such evaluation on the grounds, *inter alia*, of progress of annual programmes of the organization led by the civil employee, capacity of policy analysis, capacity to take leadership in discharging functions, capacity to make decision, satisfaction of the service recipients, progress of settlement of irregular amounts, irregular amounts indicated in the annual report of a constitutional body, group work style, professional sensitivity, inter-personal relation and constructive and creative reforms made in the body in which he or she is serving.

In making evaluation of leadership pursuant to this Sub-rule, the committee may secretly collect information about his or her behavior and conduct in relation to work from the employees in the body where the concerned civil employee is serving.

(5) The report as referred to in Sub-rule (3) shall clearly state the grading/standard of the concerned civil employees according to the grounds as referred to in Sub-rule (4).

(6) The Government of Nepal may make posting pursuant to Section 15 of the Act, transfer pursuant to Section 18 and promotion pursuant to Section 19 on the basis of the said report.

(7) The report submitted pursuant to Sub-rules (1) and (2) shall be kept secret.

Provided that, if the concerned civil employee so demands by making an application, information as to his or her grading shall be given to him or her.

(8) Other grounds and procedures of the leadership evaluation shall be as specified and determined by the committee.

(9) The committees as referred to in Sub-rules (1) and (2) shall remain in the Office of Prime Minister and Council of Ministers.

Chapter - 11

Salary and Allowance

91. Salary scale (pay scale): (1) Any civil employee, who has been freshly appointed to the post carrying salary as per the determined pay scale, shall get starting salary mentioned in such pay scale.

(2) Any civil employee who is promoted to any post of higher pay scale shall get the starting salary prescribed in such pay scale.

Provided that, in cases where the present salary receivable by him or her is equal to or more than the minimum salary of the said higher

pay scale, his or her salary under the said higher pay scale shall be prescribed as follows:

- (a) In cases where the present salary receivable by him or her is only equal to the starting salary of the higher pay scale, the salary shall be prescribed by adding one salary increment in that salary.
- (b) In cases where the salary being received from the previous post is higher than the starting salary of the promoted post, salary of higher pay scale shall be prescribed by adding the amount of difference in his or her existing salary and one salary increment of higher salary scale.

(3)¹⁷⁸ In cases where the total period of service has been set for pension by adding the period pursuant to Section 35 or Sub-section (3) of Section 37 of the Act, the amount of salary increment for the period so added shall also be included for the purposes of pension.

92. Other conditions for receiving salary and allowance: (1) Any civil employee having been transferred or promoted from one office to another office shall be entitled to get the salary (excluding local allowance) from the current office as per the transferred or promoted post for the time limit of Seven days for preparation and the time limit for journey receivable pursuant to these Rules in order to attend the current office and leave the existing office.

(2) In cases where the Government of Nepal decides to give any training to any civil employee who has been transferred, promoted from one office to another office or freshly appointed or depute him or her on any other government work, prior to joining the current office, the salary

(except local allowance) of the transferred, promoted or newly appointed post shall be given for such period.

(3)¹⁷⁹ In cases where the appointment of promotion could not be obtained by a civil employee immediately due to the reason of participation in a study, training or study tour abroad on his or her nomination by the Government of Nepal in the scholarship available to the Government of Nepal or where any civil employee dies before obtaining the appointment of promotion after being promoted, such an employee shall be entitled to the salary, allowance and facilities applicable to the promoted post from the date of the decision of promotion.

- 93. Local allowance:** Only a civil employee who serves in a place where the local allowance is receivable shall be entitled to get such allowance. Even though any civil employee has been posted in a place where the local allowance is receivable, he or she shall not be entitled to get the local allowance during the period or he or she may be entitled only to the allowance prescribed for the place concerned if he or she is not entitled to any allowance because of deputation or otherwise or if he or she acts in a place where lesser allowance is payable.

Chapter-12

Medical Expenses

- 94. Medical expenses:** (1) Any civil employee shall be entitled to the medical expenses in a sum equal to the current salary of Twelve months if he or she is an employee of gazette class and equal to the current salary of Eighteen months if he or she is an employee of non-gazetted first class and classless employee equivalent thereto, and equal to the

¹⁷⁸ Inserted by Second Amendment.

current salary of Twenty One months if he or she is an employee of other non-gazetted first class and classless employee, during his/her service period.

(2) If any civil employee or any member of his or her family falls sick, the Government of Nepal shall give the medical expenses incurred as follows, not exceeding the amount receivable pursuant to Sub-rule (1):

- (a) The fees incurred for medical examination carried out by a recognized doctor and the expenses for medicines purchased as per the prescription after the examination, for the treatment of disease,
- (b) The expenses incurred in the admission to or treatment in a health institution as per the bill,
- (c) The expenses as certified by the Head of Department in respect of the other civil employees other than the Head of Department and by the Secretary at the concerned Ministry in respect of the Head of Department, incurred in the treatment in a place where any hospital and recognized doctor are not available,

Explanation: "recognized doctor" includes a doctor, *Kaviraj*, health assistant or *Vaidhya* incumbent in the government service or registered as a doctor pursuant to the laws in force.

- (d) The expenses incurred in all kinds of operations (surgical operations) except plastic surgery, as per the bill,
- (e) In the event of medical treatment in another district or abroad leaving home or rented house, total amount of transport expenses for the patient and one attendant, if the attendant is required, to go and back from such place and the amount of expenses for food equal to Seventy Five percent of the daily allowance receivable by the concerned civil employee as per the laws in force.

(3) If any civil employee wishes to get an advance of medical allowance receivable pursuant to this Rule and if the reason therefor appears to be reasonable, the amount may be given in advance on conditions of settling down the account lateron, subject to this Rule. While settling down the account of the amount taken as an advance exceeds the amount receivable for treatment, such amount of difference shall be deducted from the salary of the concerned civil employee by installments. If the concerned civil employee or the member of his or her family dies prior to the recovery of such amount of deduction, the amount due to be deducted shall be remitted.

(4) Departmental action may be taken against a civil employee who demands for or receives medical expenses under this Rule by submitting false details, including the recognized doctor (if he or she is an employee) who has certified such false details.

(5) While releasing the expenses for medical treatment in cases where any temporary employee falls sick, the period of Twenty years shall be regarded as the total period of service and the expenses for treatment shall be given under this Rule by calculating, in proportion

thereto, the period of service of such temporary employee who has fallen sick.

Provided that, medical expenses under this Rule shall not be given to any temporary civil employee when being relieved of the service.

(6) Except in cases of dismissal from the service disqualifying for the government service in the future, the civil employee who is detached from the service on whatsoever ground shall get the lump sum payment of such remaining amount of medical expenses, if due remains, out of the medical expenses to be received under this Rule for the entire period of service, with or without having received any portion of such amount.

Provided that, any employee detached from the service on pension shall be entitled to get a lump sum amount to be calculated by adding an additional Ten percent, Fifteen percent and Twenty percent to the remaining amount to be received for the medical expenses if the civil employee has completed the service period of Twenty years, Twenty-five years and more than that, respectively.

(7) While giving the medical expenses to any civil employee who has not completed a service period of Ten years, the amount prescribed in this Rule shall be regarded as an amount to be given for Ten years of service period and only the amount being calculated in proportion thereof shall be given.

(8) If any civil employee requesting for medical expenses under this Rule shall have to take the sick leave as long as the sick leave is due, in cases where he or she could not be present in the office as a result of falling sick. Other leaves may be requested only when the balance of sick leave is over.

(9) Except in cases where treatment has to be done in a health institution or abroad pursuant to this Rule, any civil employee may be given, in one year, the medical expenses equal to an amount not exceeding his or her current salary of One and half month.

(10) The records of medical expenses given to a civil employee under this Rule shall have to be maintained by the office maintaining such expenses and such details shall have to be sent to the concerned Department and the Civil Employees Record Office for the maintenance of records.

(11) If any civil employee serving in a remote area where means and facilities are not available has fallen sick and his or her disease could not be treated at the local health institution whereby putting his or her very life under threat, and if such a civil employee is carried to any other nearest well-equipped health institution within Nepal from that place for treatment by a fastest means, with the approval of the Secretary at the concerned Ministry, the transport expenses in carrying him or her to and from the health institution shall be borne by the Government of Nepal.

95.¹⁸⁰ Additional financial assistance: (1) Such financial assistance as deemed appropriated by the Government of Nepal on the recommendation of the following committee, on the basis of the recommendation made by the medical board constituted by the Government of Nepal for the treatment of any civil employee or of his or her wife or husband¹⁸¹ within or outside the country, shall, in addition to the medical expenses receivable pursuant to Sub-rule (1) of Rule 94, be given:

180 Amended by Seventh Amendment.

181 Amended by the Eighth Amendment.

- (a) Secretary at the Ministry of General Administration - Chairperson
- (b) Secretary at the body where the civil employee greeting additional financial assisting is serving or a representative designated by him or her - Member
- (c) Secretary at the Ministry of Finance or a representative designated by him or her - Member
- (d) Senior doctor designated by the Ministry of Health and Population - Member
- (e) Central chairperson of the formal trade union of civil employees - Member

(2) The committee as referred to in Sub-rule (1) shall, in making recommendation for amount for additional financial assistance, make such recommendation for a maximum of Five Hundred Thousand Rupees according to the bills of expenses incurred in the treatment of a severe disease.

Explanation: For the purposes of this Rule, the term "severe disease" means kidney, heart and cancer disease.

(3) The Government of Nepal may frame and enforce a separate manual on additional financial assistance.

Chapter-13

Pension and Other Facilities

96. Disability allowance: (1) If any civil employee is physically or mentally handicapped for the government service as a result of disability or injuries in an accident whilst performing government work, such employee shall be entitled to get pension as referred to in Sub-rule (2) as the disability allowance for life for maintaining his or her livelihood, as well as to the disability allowance (grant) as referred to in Sub-rule (3).

(2) If the period of service of the civil employee who has become disabled in the manner indicated in Sub-rule (1) is pensionable, such employee shall be entitled to get the disability pension equal to the amount to be calculated pursuant to Section 37 of the Act on the basis the salary currently drawn by him or her (inclusive of that if he or she has also worked as acting or officiating pursuant to Rule 46). If the period of service of such disabled civil employee is not pensionable, deduction shall be made from the amount of pension proportionately for each year or part of a year required to complete the pensionable year under the Act and the remaining amount shall be provided as pension. While so deducting the amount, it shall not be more than one-thirds of the amount.

(3) The civil employee who has become disabled pursuant to Sub-rule (1) may be provided with a maximum amount of Ten Thousand Rupees as a financial assistance, taking into account of the injuries.¹⁸²

(4) The concerned civil employee shall be entitled to get cent percent of the medical expenses incurred in the treatment of sustained injuries pursuant to Sub-rule (1). Such employee shall not be considered to be prevented from getting the medical expenses receivable

182 Deleted by Seventh Amendment.

pursuant to Sub-rule (1) of Rule 94 in the event of illness in the future by virtue of the fact that he or she has got such medical expenses.

(5) The amount of additional monthly disability allowance to be receivable by the civil employee, in addition to the disability allowance to be receivable pursuant to Sub-rule (2) shall be equal to Twenty percent of the salary being drawn by him or her.

Explanation: If any civil employee having obtained or been held entitled to obtain the disability allowance rejoins any service in the future, he or she shall not get the disability allowance as referred to in this Rule. However, he or she shall not be required to return the already received amount of disability allowance or additional financial assistance.

(6) If any civil employee who is receiving or being held entitled to receive the disability allowance dies within Seven years from the date of receiving such disability allowance, a lump sum amount of the disability allowance for the period that remains to complete Seven years shall be given as an assistance to the family member as referred to in Sub-rule (2) of Rule 101.¹⁸³

(7) If any civil employee sustains injury or becomes disabled due to his or her own willful gross recklessness and thereby becomes disabled, he or she shall not get any facility as referred to in this Rule.

97. Facility receivable in the event of disability or injury: (1) In cases where any civil employee sustains injury while performing the government business and if such injury affects his or her growth of efficiency but does not lead to his or her retirement, his or her salary may be increased to the final scale or he or she may be given a

¹⁸³ Amended by Seventh Amendment.

maximum of Ten Thousand Rupees in lump sum as a financial assistance, taking into account the nature of his or her injuries.

(2) The civil employee shall be entitled to the fully paid additional sick leave, which shall not be deducted from any type of his or her accumulated leave, for such period as may be required for the treatment of his or her injuries as referred to in Sub-rule (1).

(3) Such civil employee shall be entitled to get the cent percent of the medical expenses incurred in his or her treatment pursuant to Sub-rule (2). The fact of having received such treatment expenses shall not be considered to prevent him or her from getting the medical expenses that can be receivable pursuant to Sub-rule (1) of Rule 94 if he or she falls ill subsequently.

(3a)¹⁸⁴ If transplantation of eye, hand or leg has to be made in carrying out treatment pursuant to Sub-rule (3), and Sub-rule (4) of Rule 94, such civil employee shall be entitled to all expenses incurred in such transplantation of organ.

(4) If any civil employee becomes disabled as a result of injuries sustained due to his or her own willful gross recklessness, he or she shall not get the facility as referred to in this Rule.

(5)¹⁸⁵ If any civil employee dies in the course of treatment pursuant to Sub-rule (2), the amount of treatment expenses incurred in such treatment shall be given to the family member as referred to in Sub-rule (2) of Rule 101.

184 Inserted by Seventh Amendment.

185 Inserted by Seventh Amendment.

(6)¹⁸⁶ Claim has to be made within Three months for the treatment expenses as referred to in this Rule.

98. Extra-ordinary family allowance and gratuity: (1) If any civil employee dies immediately in an accident in the course of performance of the government business or dies subsequently as a result thereof prior to recovery, the wife or husband of such employee shall be provided with an amount to be set by Fifty percent of the minimum pension as referred to in Sub-section (2) of Section 37 of the Act as the monthly family allowance for life and a lump sum amount equal to Three months' salary being drawn by the deceased employee, as an additional gratuity.

(2) The widow or widower¹⁸⁷ of a civil employee shall be recognized only on the following conditions:

(a) Marital relationship should have already been maintained with such civil employee prior to the occurrence of the event of death due to the above cause.

(b) He or she should be living jointly with that civil employee at the time of his or her death.

(3) The occasional gratuity as prescribed in Sub-rule (1) may be given proportionately in lump sum to the offspring of the deceased employee born before re-marriage of such widow or adopted son in cases where there is no widow or she had separated from him before the death of husband. But, if the offspring or adopted son is below Eighteen years of age, the Government of Nepal may also give an additional family allowance at such rate as deemed appropriate on pro rata, not

186 Inserted by Seventh Amendment.

187 Amended by Seventh Amendment.

exceeding Two-thirds of the family allowance receivable by the widow until they reach Eighteen years of age, for their subsistence.

(4) In cases where there is no widow or widower, offspring or adopted son or daughter of the deceased civil employee, both the dependent mother and father of such employee or any one among them, whoever is there, shall be provided with an amount not exceeding Two Thirds of the family allowance receivable by the widow or widower¹⁸⁸ as the life-long family allowance for their subsistence.

(5) In cases where there is any dispute as to the title of the widow, widower or offspring of the deceased civil employee, the Government of Nepal may make take action in a reasonable and justifiable manner.

(6) In cases where there is no widow, widower,¹⁸⁹ offspring, adopted son, daughter¹⁹⁰ or mother and father of the deceased civil employee but there are dependent brothers or unmarried sisters of such employee, the Government of Nepal may give them, on prorata basis, the family allowance in an amount not exceeding Two Thirds of the family allowance receivable by the widow or widower¹⁹¹ at such a rate and for such a period as it may consider to be reasonable, for their subsistence.

Explanation¹⁹²: For the purposes of this Rule, the term "mother and father" includes her father-in-law and mother-in-law in the case of a female civil employee.

188 Amended by Seventh Amendment.

189 Amended by Seventh Amendment.

190 Amended by Seventh Amendment.

191 Amended by Seventh Amendment.

192 Inserted by Seventh Amendment.

99. Education and offspring allowance: (1) In cases where any civil employee dies in an accident whilst performing the government business or becomes unable to work for life due to such reason, a maximum of two children of such deceased or disabled employee shall be provided with yearly education subsistence at the following rate, until they reach the age of Eighteen years:

- (a) For each offspring of the gazette employee, Two Thousand Four Hundred Rupees,
- (b) For each offspring of the non-gazetted and classless employee, One Thousand Eight Hundred Rupees.

(2) A maximum of two children of a civil employee who has died in the course of the government business shall be provided with the offspring allowance by the following percentage of the basic salary scale of the post held by the deceased employee, in addition to the education allowance as referred to in Sub-rule (1):

Post of employee		Percentage of basic salary
(a)	Chief Secretary	-6
(b)	Secretary and equivalent to that	6.5
(c)	Additional Secretary and equivalent to that	-7
(d)	Joint Secretary and equivalent to that	-8
(e)	Under Secretary and equivalent to that	10
(f)	Section Officer and equivalent to that	12
(g)	<i>Nayab-subba</i> and equivalent to that	12
(h)	<i>Kharidar</i> and equivalent to that	12
(i)	<i>Mukhiya</i> and equivalent to that	13
(j)	<i>Bahidar</i> and equivalent to that	14
(k)	<u>Classless and non-gazetted fifth class</u> ¹⁹³	15

(3) The concerned offspring shall be entitled to the allowance pursuant to Sub-rule (2) until he or she completes the age of Eighteen years.

Explanation: For purposes of this Rule, the term "offspring" means the son or daughter of the concerned civil employee.

100. Provision of committee: (1) There shall be a committee comprising the following members to make recommendation on the allowance, medical expenses¹⁹⁴ or gratuity receivable by the family or offspring of any civil employee who dies in an accident, who sustains injury and is

¹⁹³ Amended by Seventh Amendment.

¹⁹⁴ Inserted by Seventh Amendment.

to make treatment¹⁹⁵ or who becomes disabled for life, in the course of the government business :

(a) In respect of the civil employees of the offices situated in the Kathmandu Valley:

(1) Representative of the Ministry of General Administration,

(2) Representative of the Ministry of Finance,

(3)¹⁹⁶ Representative of the Ministry, Secretariat, Commission or Office where the concerned civil employee is serving.

(b) In respect of the civil employees of the offices situated in districts other than the Kathmandu Valley:

(1) Chief District Officer of the concerned district,

(2) Chief of Office of Funds and Accounts Controller in the concerned district,

(3) Chief of Office of the concerned deceased employee.

Provided that, if the Chief District Officer himself or herself is the Chief of Office, officer designated by him or her.

195 Inserted by Seventh Amendment.

196 Amended by Second Amendment.

(2) The committee constituted pursuant to Sub-rule (1) shall have powers to make recommendation on, *inter alia*, whether any civil employee died in the course of the government work and on disability, as well as on whether any civil employee sustained injury in the course of government work.¹⁹⁷

(3)¹⁹⁸ The recommendation as referred to in Sub-rules (1) and (2) shall be made on the basis of the following documents:

- (a) Evidence or travel order deputing for the government work,
- (b) Deed of public inquiry or police report,
- (c) Document or bills of the hospital where treatment was carried out,
- (d) Recommendation of the body where the civil employee to be treated is in service.

(4)¹⁹⁹ The recommendation of the committee as referred to in Sub-rule (1) shall also be taken into account also in approving the additional sick leave pursuant to Sub-rule (2) of Rule 97.

Explanation: For the purposes of these Rules, the term "in the course of the government work" mean the following situation except as otherwise proved:

- (a) Where, at any time while going to or coming from the office or where deputed in any place on the business of the office within or outside office hours,

197 Inserted by Seventh Amendment.

198 Inserted by Seventh Amendment.

199 Inserted by Seventh Amendment.

- (b) Where deputed elsewhere for the government business, during the period of deputation.

101. Procedures relating to pension: (1) Any civil employee getting compulsory retirement because of age or service period shall have to fill up the form as referred to in Schedule 17A.²⁰⁰ and send the same to the Civil Employees Records Office, through his or her current office, no later than Six months before the date of his or her retirement.

(2) In cases where any civil employee dies before completing the form pursuant to Sub-rule (1), the nominee, if any, of such deceased employee and, failing such nominee, any of his or her family members, whoever is alive, in the following order shall have to send the duly completed form to the concerned authority within Six months:

- (a) Husband or wife living in undivided family,
- (b) Son, unmarried daughter, adopted son, unmarried adopted daughter or widow daughter-in-law,²⁰¹ living in undivided family,
- (c) ²⁰²,
- (d) Father, mother living in undivided family,
- (e) In the case of a male employee and an unmarried female employee,²⁰³ grandfather, grandmother whom he or she himself or herself has to maintain and subsist, and in the case of a married²⁰⁴ female

200 Amended by Second Amendment.

201 Amended by Seventh Amendment.

202 Deleted by Seventh Amendment.

203 Inserted by Seventh Amendment.

204 Inserted by Seventh Amendment.

employee, mother-in-law, father-in-law and grandson from the son's side,

- (f) Separated husband or wife,
- (g) Separated son, unmarried daughter, adopted son, unmarried adopted daughter or widow daughter-in-law,²⁰⁵
- (h) Separated²⁰⁶ father and mother,
- (i) Brothers,²⁰⁷and unmarried grand-daughter from the son' side living in undivided family,
- (j)²⁰⁸ Unmarried sisters²⁰⁹living in undivided family,
- (k) Nephew, niece, step-mother, separated grandson from the son's side, unmarried daughter living in undivided family,
- (l) Uncle, widow aunt, sister-in-law, granddaughter-in-law living in undivided family,
- (m) Separated brothers,
- (n) Married sisters, separated grandfather, grandmother,²¹⁰ daughter-in-law, nephew.

205 Amended by Seventh Amendment.
206 Deleted by Seventh Amendment.
207 Deleted by Seventh Amendment.
208 Amended by First Amendment.
209 Deleted by Seventh Amendment.
210 Deleted by Seventh Amendment.

Explanation: In cases where more than one relative is prescribed in the same order, all the relatives prescribed in such order may be entitled to get the equal share of pension of the deceased employee.

(3) After obtaining a form pursuant to Sub-rule (1) or (2), the Civil Employees Record Office shall, after making necessary examination, have to issue a letter of pension authority, in the format as prescribed by the Government of Nepal, to the retired employee or the relative who is entitled to receive pension of the deceased employee.

(4) A person who fills up and send a form for pension shall have to write to the Civil Employees Records Office indicating that to which address the letter of pension authority has to be sent; and, where all requirements are met, the letter of pension authority has to be so sent to the concerned person within Thirty-five days that it can be received by the concerned person.

101A.²¹¹ Special provision relating to family pension: (1) In providing pension to the minor offspring of a deceased civil employee pursuant to Sub-section (3a) of Section 39 of the Act, the amount equivalent to that receivable by the husband or wife of the deceased civil employee pursuant to Sub-section (3) of the said Section shall be provided to such an offspring until minor offspring attains the age of Eighteen years.

(2) In providing pension to the minor offspring of a deceased civil employee pursuant to Sub-section (5) of Section 39C. of the Act, the amount equivalent to that receivable by the husband or wife of the deceased civil employee pursuant to Sub-section (1) of the said Section

²¹¹ Amended by the Eighth Amendment.

shall be provided to such an offspring until the minor offspring attains the age of Eighteen years.

(3) If there is more than one offspring entitled to pension pursuant to this Rule, equal portion of the amount receivable pursuant to this Rule shall be provided to each such offspring.

(4) If, in providing pension pursuant to Sub-rule (3), any offspring has attained the age of Eighteen years and any offspring has not attained the age of Eighteen years, the portion of pension shall be set by working out between those who have not attained the age of Eighteen years.

102. Withholding of gratuity or pension in the event of failure to hand over charge:

If a retired civil employee fails to hand over such governmental cash, goods in kind and documents as required to be handed over by him or her, gratuity or pension receivable by him or her may be withheld until the same is so handed over. The civil employee required to take over such governmental cash, goods in kind and documents shall also take them over within the specified time.

102A.²¹² Provision relating to calculation of age for compulsory retirement:

(1) In calculating the age of a civil employee for the purpose of Section 33 of the Act, if the birth date is mentioned by year, month and day in the sheet roll, citizenship certificate and educational qualification certificate and all do not contain the same date, retirement shall be awarded from the date on which he or she retires earlier.

(2) The birth date shall be set as follows in setting the birth date on the basis of a certificate containing year or *Sambat* only:

²¹² Inserted by Seventh Amendment.

- (a) In the case of the citizenship certificate, on the basis of the date of receipt of the certificate,
- (b) In the case of the educational qualification certificate, on the basis of the date of issue of the certificate,
- (c) In the case of the sheet roll, on the basis of the date of original recruitment.

(3) In cases where only year is mentioned in any certificate and full birth date is mentioned in another certificate and the difference between the birth dates mentioned in such certificates does not exceed One year, the full birth date shall be taken as the basis.

Provided that, if the difference between the birth dates mentioned in such different certificates exceeds One year, the birth date shall be set pursuant to Sub-rule (2) on the basis of the certificate containing year only.

Chapter-14

Grounds for Increment of the Service Period and Retirement

- 103. ²¹³
- 104. ²¹⁴
- 105. ²¹⁵

Chapter-15

Punishment and Appeal

213 Repealed by Second Amendment.
214 Repealed by Second Amendment.
215 Repealed by Second Amendment.

106.²¹⁶ **Authority empowered to impose ordinary punishment:** The authority empowered to order punishment as referred to in Clause (a) of Section 59 of the Act against any civil employees holding the following posts shall be as follows:

(a) **In respect of Chief of Office and employee of his or her Office:**

Post	Authority empowered to award punishment of censure	Authority to award punishment of withholding of promotion for up to Two years or withholding of a maximum of Two salary increments, withholding of promotion for Two to Five years or withholding of Two to Five salary increments
1	2	3
(1) Other non-gazetted civil employees except the Chief of Office	Chief of Office	Chief of Office who is of at least one class higher designation than the concerned civil employee, and failing such Chief of Office, the Head of

²¹⁶ Amended by Seventh Amendment.

		Department
(2) Other gazetted civil employees except the Chief of Office	Chief of Office who is of at least one class higher designation than the concerned civil employee, and failing such Chief of Office, the Head of Department	Head of Department
(3) Non-gazetted Chief of Office	Head of Department	Head of Department
(4) Gazetted Chief of Office	Head of Department	Concerned Secretary

(b) In respect of other Heads of Department under the Ministries or Secretariats and civil employees serving in their offices

1	2	3
(1) Non-gazetted civil employees	Head of Department or gazetted officer designated by him or her	Head of Department
(2) Other gazetted civil employees except the Head of Department	Head of Department	Concerned Secretary
(3) Head of Department	Concerned Secretary	Concerned Secretary

(c) In respect of Secretaries of the Ministries or Secretariats and civil employees serving in their offices

1	2	3
(1) Non-gazetted civil employees	Gazetted officer designated by the Secretary of the concerned Ministry or Secretariat	Gazetted first class officer designated by the concerned Secretary
(2) Other gazetted civil employees except the Secretary of the Ministry or Secretariat	Concerned Secretary	Concerned Secretary
(3) Secretary of the Ministry or Secretariat	The Government of Nepal	The Government of Nepal

(d) In respect of non-gazetted and gazetted civil employees of courts

1	2	3
(1) Non-gazetted civil employees of District Court	District Judge or gazetted officer designated by him or her	District Judge
(2) Non-gazetted civil employees of Appellate Court	Gazetted officer designated by the Registrar of Appellate Court	Registrar of Appellate Court
(3) Non-gazetted civil employees of Supreme Court	Gazetted second class officer designated by the Registrar of Supreme Court	Gazetted first class officer designated by the Registrar of Supreme Court
(4) Gazetted civil employees of District Court	District Judge	District Judge

(5) Gazetted civil employees of Appellate Court other than the Registrar of the Court	Registrar of Appellate Court	Registrar of Appellate Court
(6) Gazetted civil employees of Supreme Court other than the Registrar of the Court	Registrar of Supreme Court	Registrar of Supreme Court
(7) Registrar of Appellate Court	Judge of the Appellate Court designated by the Chief Judge of that Court	Chief Judge of the Appellate Court
(8) Registrar of Supreme Court	Judge of the Supreme Court designated by the Chief Justice	Judge of the Supreme Court designated by the Chief Justice

(e) In respect of civil employees of the Commission for the Investigation of Abuse of authority, Office of the Auditor General, Public Service Commission and Election Commission

1	2	3
(1) Non-gazetted civil employees	Gazetted officer designated by the Secretary of the concerned Commission or body or official equivalent thereto	Gazetted first class officer designated by the Secretary of the concerned Commission or body or official equivalent thereto
(2) Gazetted civil employees other than	Secretary of the concerned	Secretary of the concerned

the Secretary or official equivalent thereto	Commission or body or official equivalent thereto	Commission or body or official equivalent thereto
(3) Secretary or official equivalent thereto	The Government of Nepal	The Government of Nepal

(f) In respect of civil employees of the Revenue Tribunal

1	2	3
(1) Non-gazetted civil employees	Member designated by the Chairperson	Member designated by the Chairperson
(2) Gazetted civil employees	Chairperson	Chairperson

(g) In respect of civil employees of the Office of Attorney General and the Government Attorney Offices under that Office

1	2	3
(1) Non-gazetted civil employees of the District Government Attorney Office	District Attorney	Deputy Attorney or any other officer of the concerned Appellate Government Attorney Office designated by the Joint Attorney of that Office
(2) Non-gazetted civil employees of the Appellate Government Attorney Office	Deputy Attorney or any other officer designated by the concerned Joint Attorney	The concerned Joint Attorney

(3) Non-gazetted civil employees of the Office of Attorney General	Gazetted officer designated by the Attorney General	Joint Attorney designated by the Attorney General
(4) Second and third class civil employees of District Government Attorney Office and Appellate Government Attorney Office	Joint Attorney of the concerned Appellate Government Attorney Office	Senior-most Deputy Attorney General
(5) Gazetted second and third class officers of the Office of Attorney General	Senior-most Deputy Attorney General	Attorney General
(6) Gazetted first class officers of the Office of Attorney General and Appellate Government Attorney Office	Senior-most Deputy Attorney General	Attorney General
(7) Deputy Attorney General	Attorney General	Attorney General

(h) In respect of civil employees of the Administrative Court

1	2	3
(1) Non-gazetted civil employees	Gazetted officer designated by the Chairperson	Registrar
(2) Gazetted officers other than the Registrar	Chairperson	Chairperson

(3) Registrar	Chairperson	Chairperson
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(i) In respect of the Secretary and other civil employees of the Judicial Council

1	2	3
(1) Non-gazetted civil employees	Gazetted officer designated by the Secretary	Joint Secretary
(2) Gazetted second and third class civil employees	Joint Secretary	Secretary
(3) Gazetted first class civil employees	Secretary	Secretary
(4) Secretary	Member of the Judicial Council designated by the Chairperson of the Judicial Council	Member of the Judicial Council designated by the Chairperson of the Judicial Council

(j) In respect of Training Chief and other civil employees of the Judicial Service Training Center

1	2	3
(1) Non-gazetted civil employees	Gazetted officer designated by the Training Chief	Deputy Training Chief
(2) Gazetted second and third class officers civil employees	Training Chief	Training Chief
(3) Training Chief	Secretary of the Ministry of Law,	Secretary of the Ministry of Law,

	Justice and Parliamentary Affairs	Justice and Parliamentary Affairs
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(k) In respect of civil employees of the Special Court

1	2	3
(1) Non-gazetted civil employees	Gazetted officer designated by the Registrar	Registrar
(2) Gazetted civil employees other than the Registrar	Registrar	Registrar
(3) Registrar	Chairperson	Chairperson

(l) In respect of civil employees of the Debt Recovery Tribunal

1	2	3
(1) Non-gazetted civil employees	<i>Shrestedar</i>	Member designated by the Chairperson
(2) Gazetted civil employees	Member designated by the Chairperson	Chairperson

(m) In respect of civil employees of the Debt Recovery Appellate Tribunal

1	2	3
(1) Non-gazetted civil employees	<i>Shrestedar</i>	Appeal Hearing Authority
(2) Gazetted civil employees	Appeal Hearing Authority	Appeal Hearing Authority

(n) In respect of civil employees of the Labor Court

1	2	3
(1) Non-gazetted civil employees	<i>Shrestedar</i>	Case Trying Authority
(2) Gazetted civil employees	Case Trying Authority	Case Trying Authority

employees		
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107. Suspension and opportunity for defense: (1) In cases where any civil employee has to be suspended, the authority empowered to order punishment shall have to deliver a letter of suspension and a letter asking for making defense in accordance with Sub-section (1) of Section 66 of the Act to the concerned employee.

(2) Prior to asking any civil employee to make defense, the authority empowered to order punishment may himself of herself hold, or cause to be held by any other officer, departmental investigation in accordance with Sub-section (2) of Section 66 of the Act and take a report, along with his or her findings.

108. Procedures to be followed by investigating officer: (1) The investigating officer shall have the powers to hold departmental investigation by following the procedures as follows:

- (a) To exercise the same powers as may be exercisable by the court on matters of taking depositions, requiring production of written proof and evidences and issuing of summons in the name of witness, etc.
- (b) To examine proofs and evidences in the presence of the accused civil employee.
- (c) To give an opportunity to the accused civil employee for cross-examination with the witness and submission of proofs and evidences against the charge.

(2) After the completion of investigation as referred to in Sub-rule (1), the investigating officer shall have to submit a report to the authority empowered to order punishment. He or she shall have to

submit his or her findings, along with the reasons for punishment, and all proofs and evidences so available.

109. Non-requirement of departmental investigation: In any of the following circumstances, the departmental investigation shall not be required to be held by the authority empowered to order punishment in respect of imposition of the following departmental punishment to any civil employee:

- (a) To impose ordinary punishment pursuant to Clause (a) of Section 59 of the Act.
- (b) To impose departmental punishment to any civil employee who has gone away and whose whereabouts are not known or it is impossible to make contact with him or her for any other reason.
- (c) To impose departmental punishment to any civil employee on the basis of conviction made by the court for a criminal offence involving moral turpitude.
- (d)²¹⁷ To impose departmental punishment to any civil employee convicted by the court of the offence of corruption.

110. Reasons for being unsatisfied with defense to be set out: While requiring clarification from any civil employee by the authority empowered to order punishment in accordance with Section 67 of the Act, if the clarification submitted prior to that pursuant to Sub-section (1) of Section 66 of the Act has been found unsatisfactory, the reasons for the same shall have to be set out. If the departmental investigation has been made in respect of such employee in accordance with Sub-section (2) of Section 66 of the Act, the results of such investigation and

²¹⁷ Inserted by Seventh Amendment.

justification of the proposed punishment shall also have to be mentioned in such clarification.

111. Procedures for seeking consultation of Public Service

Commission: Prior to issuing the order of departmental punishment to any civil employee, the authority empowered to order punishment shall, while seeking consultation of the Public Service Commission in writing in accordance with Section 68 of the Act, have to send a file containing the proposed departmental punishment held to be imposed on the basis of the evaluation of submitted defense, clarification, proofs and evidences thereof and all original documents.

112. Procedures relating to order of punishment and duplicates: (1)

While making a decision of departmental punishment against any civil employee, the authority empowered to order punishment shall have to make a decision by mentioning the explicit reasons upon proper evaluation of the defense, clarification submitted by such employee and all available proofs and evidences after having examined whether or not the concerned employee has been given an adequate opportunity for submission of defense or clarification. The authority empowered to so order punishment shall have to make decision as per Schedule-17, along with his or her clear opinion in respect of the order of punishment.

(2) Notwithstanding anything contained elsewhere in this Chapter, once the defense and clarification have been demanded from any civil employee by proposing one punishment, decision has not to be made in a manner to impose another punishment. Provided that, in cases where there arises a situation to increase or decrease punishment for any reason, the procedures as referred to in Rules 110 and 111 shall have to be fulfilled again.

(3) While making decision to impose departmental punishment on any civil employee pursuant to Sub-rule (1), the authority empowered to order punishment shall not make decision with effect from a date prior to the date of that decision.

Provided that, in imposing punishment in relation to the offence as referred to in Clause (g) of Sub-section (1) of Section 61 of the Act, decision may be made with effect from the following day of the expiration of Ninety days as mentioned, and in imposing punishment in relation to the offence as referred to in Clauses (a) and (b) of Sub-section (2) of Section 61 of the Act, decision may be made with effect from the date of conviction of offence by the court.²¹⁸

(4) The authority empowered to order punishment shall have to give, free of cost, one duplicate copy of the order of punishment made pursuant to Sub-rule (1) to the concerned civil employee.

113. Constitution of advisory committee: If the authority empowered to order punishment so wishes, prior to imposing an order of punishment to any civil employee in accordance with Clause (b) of Section 59 of the Act, the Government of Nepal may constitute an advisory committee to give advice to such authority.

114. Procedures for appeal: If any civil employee has to file an appeal against the departmental punishment imposed to him or her in accordance with Clause (a) of Section 59 of the Act, the following procedures shall have to be followed:

(a) An employee making an appeal shall have to file an appeal by his or her own name, and such appeal shall have to be written in proper and respectable language.

²¹⁸ Inserted by Seventh Amendment.

- (b) An employee making an appeal shall have to submit along with the appeal all the proofs and evidences available for his or her defense and also duplicate copy of order of punishment against which such appeal is to be filed.
- (c) While filing an appeal, the authority empowered to hear appeal shall have to be addressed and appeal filed with the Administrative Court.²¹⁹
- (d) An appeal shall have to be filed within Thirty-five days after the receipt of order of punishment. Provided that, if the person making an appeal, after the expiry of time limit of appeal, submits an application showing adequate reasons, and the authority empowered to hear appeal holds the reasons to be reasonable, an appeal filed within Two²²⁰ Months may also be registered.

115.²²¹

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Chapter- 16

Miscellaneous

116.²²² **Provision of award:** (1) One excellent employee shall be selected from one district each and from each Ministry, Secretariat, Commission or Departments and Offices thereunder and such amount as specified by the Government of Nepal shall be provided to such employees as a reward.

(2) There shall be a committee as follows in order to select the employees as referred to in Sub-rule (1):

²¹⁹ Amended by Seventh Amendment.

²²⁰ Amended by Seventh Amendment.

²²¹ Repealed by Seventh Amendment.

²²² Amended by Seventh Amendment.

(a) In the case of selection of employee under the Ministry, Secretariat, Commission:

(1) Secretary of the concerned Ministry, Secretariat, Commission -Chairperson

(2) Heads of Department under the concerned Ministry, Secretariat, Commission -Member

(b) In the case of selection of district level employee:

(1) District Judge -Chairperson

(2) Representative of the District Administration Office -Member

(3) Representative of the Office of the District Development Office -Member

(3) The criteria and grounds for the selection of employees pursuant to this Rule shall be as determined by the Government of Nepal.

(4) The secretariat of the committee as referred to in Clause (a) of Sub-rule (2) shall be in the concerned Ministry, Secretariat or Commission and that of the committee as referred to in Clause (b) shall be in the concerned District Court.

116A.²²³ **Civil service award:** (1) On the recommendation of the committee referred to in Sub-rule (2), the Government of Nepal shall provide the following civil service award to the civil employees every year:

	<u>Name of award</u>	<u>Amount</u>	<u>Number</u>
(a)	Excellent Civil Service award	Rs. 2,00,000.00	For One person
(b)	Best civil service award	Rs. 1,00,000.00	For Ten persons ²²⁴
(c)	Civil Service award	Rs.50,000.00	For Thirty persons ²²⁵

(2) There shall be a committee as follows to recommend for the award as referred to in Sub-rule (1):

- (a) Chief Secretary of the Government of Nepal - Chairperson
- (b) Secretary of the Ministry of Law and Justice - Member
- (c) Any Secretary of the Government of Nepal designated by the Government of Nepal - Member
- (d) A person designated by the Government of Nepal from amongst the employees retired from the service of special class - Member

²²³ Inserted by Second Amendment.

²²⁴ Amended by the Eighth Amendment.

²²⁵ Amended by the Eighth Amendment.

- (e) Secretary of the Ministry of
General Administration - Member-Secretary

(3) For awarding the civil service awards pursuant to Sub-rule (1), the committee as referred to in Sub-rule (2) shall make recommendation by selecting the civil employees on the following grounds:

- (a) Recommendation of the concerned Ministry, Secretariat or Commission,
(b) Work performance evaluation,
(c) Work efficiency and work competency,
(d) Seniority, dedication, duty-bound and professional efficiency.

(3a)²²⁶ The committee as referred to in Sub-rule (2) shall make recommendation of civil employees in such a manner as to make balance also from the geographic perspective.

(3b)²²⁷ The form of certificate to be given along with the civil service award shall be as set forth in Schedule-17B.

(4) The Secretariat of the committee as referred to in Sub-rule (2) shall be situated at the Ministry of General Administration.

116B.²²⁸ **Civil service day:** (1) The civil service day shall be observed on the Twenty Second day each year.

226 Inserted by Seventh Amendment.

227 Inserted by Seventh Amendment.

228 Inserted by Seventh Amendment.

(2) For the observance of the civil service day, a civil service day ceremony committee shall be formed under the chairpersonship of the Chief Secretary of the Government of Nepal.

(3) The secretariat of the committee to be formed pursuant to Sub-rule (2) shall be situated at the Office of Prime Minister and Council of Ministers.

116C.²²⁹ Work performance incentive fund: (1) The Government of Nepal may establish a work performance incentive fund pursuant to Section 28A. of the Act in order to bring effectiveness in service by improving work performance of the government offices.

(2) A Ministry, Commission, Secretariat level body may establish a work performance incentive fund, subject to the fund to be formed pursuant to Sub-rule (1).

(3) The concerned central body may also credit the amount added as an incentive by the Government of Nepal based on the balance upon spending the amount less than that spent in the previous financial year in the use of general expenses and office operational costs of that body and bodies thereunder to the fund as referred to in Sub-rule (2).

(4) The concerned central body may give a prize amount as an incentive to any employee and office on the basis of work performance evaluation of the civil employees based on the criteria of evaluation of civil employees of that body and the bodies thereunder determined by that body, from the amount credited pursuant to Sub-rule (3).

(5) Nobody may make a work performance incentive fund in a manner contrary to this Rule.

²²⁹ Inserted by Seventh Amendment.

(6) The Government of Nepal may frame and enforce a separate manual for the management, operation and fixation of the work performance incentive fund.

117. Requirement of approval for establishment of company and operation of trade, business: Any gazetted civil employee, and non-gazetted and classless civil employee wishing to take part in the establishment, registration or operation of any bank or company, to carry on any trade or business or to accept any kind of service elsewhere, pursuant to Section 48 of the Act, shall obtain approval from the Ministry concerned with the service, group, and the Head of the Department, respectively.

Provided that, the non-gazetted and classless civil employees in any district-based office shall obtain such approval from the Chief District Officer of the concerned district.

117A.²³⁰ Trade union of civil employees: (1) In order to obtain registration of a national level trade union of civil employees to be formed pursuant to Clause (a) of Sub-section (2) of Section 53 of the Act, the office-bearer designated by the executive committee shall make an application in the form as set forth in Schedule-17C., accompanied by the statute, signed by the central office-bearers and members, to the Department of Labor and Employment Promotion.

(2) The application and statute to be made and submitted for the registration of the trade union pursuant to Sub-rule (1) shall be accompanied by the details of the formation at least Twenty district executive committees of the trade union and signature of at least Five Thousand members certified by the concerned body of the civil employees who have obtained the membership of the trade union.

²³⁰ Inserted by Seventh Amendment.

(3) A Fifteen-day notice shall be published for claim and objection in relation to the application made pursuant to Sub-rules (1) and (2), and examination of the claim and objection, if any made, shall be carried out and registration shall be made and certificate thereof issued within Fifteen days after the expiration of the time-limit for making claim and objection, also examining whether the requirements for registration have been met.

(4) There may be formed a departmental level executive committee at the center and district level district executive committee under the central executive committee of the trade union at the national level.

(5) A departmental level executive committee may be formed in each Ministry, secretariat, Commission or Department and in a central level office. For the formation of such a departmental level executive committee, Twenty percent of the total civil employees who are serving in the said departmental level office and eligible to be associated with the trade union shall have obtained membership.

(6) For the formation of such a district level executive committee in each district, Twenty percent of the total civil employees who are serving in district, zonal or regional level offices situated in that district and eligible to be associated with the trade union shall have obtained membership.

(7) In order to obtain registration of the trade unions as referred to in Sub-rules (5) and (6), an application, accompanied by the signature of the employees who are associated with the trade unions, has to be made to the concerned Labour Office. If an application is so made, registration shall be made by fulfilling the procedures as referred to in Sub-rule (3).

Provided that, registration is not required pursuant to this Sub-rule for a national level recognized trade union to remain active at the district level.

(8) No civil employee shall be a member of more than one trade union at the same time.

(9) If a civil employee who is a member of a trade union becomes the Chief of Office, his or her membership of the trade union shall *ipso facto* be ineffective, and he or she shall have no right to vote in the trade union.

(10) The trade union registered pursuant to Sub-rules (3) and (7) shall be renewed in every Four years, and in making renewal, the terms set forth in Sub-rules (2), (5) and (6) have also to be fulfilled.

Provided that, the said terms are not required to be fulfilled in order to obtain the renewal of a trade union that has secured more than Twenty percent votes in the election held immediate previously for the formal trade union.

(11) The statute of a trade union shall include the following matters:

- (a) Name and address of the trade union,
- (b) Objectives for the establishment of the trade union,
- (c) Mode of formation and term of the executive committee (not more than Four years),
- (d) Ordinary membership, number of office-bearers and procedure of their election,

- (e) Provision relating to the fund of the trade union and its audit,
- (f) Provision that a vote of no-confidence may be moved against office-bearers,
- (g) Provision relating to the national convention of the trade union, functions, duties and powers of, and meetings of, the executive committee,
- (h) Procedures for the amendment of the statute of the trade union,
- (i) Provision relating to the dissolution of the trade union, and provision relating to its assets and liabilities in the event of such dissolution,
- (j) Provision relating to representation in, recalling from, the formal trade union.

(12) Provisions relating to the election of the formal trade union shall be as follows:

- (a) A central level formal trade union shall be elected from amongst the national level trade unions and a departmental/district level formal trade union shall be elected from amongst the concerned departmental/district level recognized trade unions.
- (b) On the basis of votes secured in the election of formal trade union, the concerned trade unions shall select the office-bearers and members.
- (c) The form/structure of formal trade union shall be as follows:

(1) A central level formal trade union shall consist of the following office-bearers and members:

- | | | |
|-----|-------------------|-----|
| (a) | Chairperson | -1 |
| (b) | Vice-chairperson | -1 |
| (c) | General Secretary | -1 |
| (d) | Secretary | -1 |
| (e) | Treasurer | -1 |
| (f) | Members | -16 |

(2) A departmental/district level formal trade union shall consist of the following office-bearers and members:

- | | | |
|-----|------------------|----|
| (a) | Chairperson | -1 |
| (b) | Vice-chairperson | -1 |
| (c) | Secretary | -1 |
| (d) | Joint Secretary | -1 |
| (e) | Treasurer | -1 |
| (f) | Members | -6 |

(d) The process of formation of a central level formal trade union shall be as follows:

- (1) The distribution of office-bearers of the trade union from amongst the national level trade unions shall be made as follows:
 - (a) Who secures the first vote -Chairperson and Treasurer
 - (b) Who secures the second vote -General Secretary
 - (c) Who secures the third vote -Vice-chairperson
 - (d) Who secures the fourth vote -Secretary

- (2) The distribution of the members of the formal trade union from amongst the national level trade unions shall be made on the basis of the percent of votes secured, considering the total number of Sixteen members as Hundred.

Provided that, where Four trade unions are not elected in the election of the formal trade union, additional posts as follows shall be obtained in making distribution of posts:

- (a) Where only Two trade unions are elected, one who secures the first vote shall get the post of Vice-chairperson and who secures the second vote shall get the post of secretary.

- (b) Where only Three trade unions are elected, one who secures the first vote shall get the post of Vice-chairperson.
- (e) The process of formation of a departmental/district level formal trade union shall be as follows:
- (1) The distribution of office-bearers of the departmental/district level formal trade union shall be made as follows, on the basis of the percentage of votes cast at the concerned departmental level and the district level in the election to the formal trade union:
- | | | |
|-----|-----------------------------|----------------------------|
| (a) | Who secures the first vote | -Chairperson and Treasurer |
| (b) | Who secures the second vote | -Vice-chairperson |
| (c) | Who secures the third vote | - Secretary |
| (d) | Who secures the fourth vote | -Joint Secretary |
- (2) The distribution of members shall be made on the basis of the percent of votes secured, considering the total number of Six members as Hundred.

Provided that, where Four trade unions are not elected in the election of the formal trade union, additional posts as

follows shall be obtained in making distribution of posts:

- (a) Where only Two trade unions are elected, one who secures the first vote shall get the post of secretary and who secures the second vote shall get the post of Joint Secretary.
- (b) Where only Three trade unions are elected, one who secures the first vote shall get the post of Secretary.
- (f) The term of the formal trade union shall be Four years from the date of election.
- (g) In the case of the first election, the Department of Labor and Employment Promotion shall specify the date and time of election to the formal trade union, in the case of the central level, and the concerned Labor Office shall so specify in the case of the departmental/district level. The date of the subsequent election shall be settled with mutual consent of the concerned formal trade union and the Department of Labor and Employment Promotion or concerned Labor Office.
- (h) All procedures relating to the election of the formal trade union shall be as set forth in the bye-laws on the election of the formal trade union.
- (i) The Department of Labor and Employment Promotion shall, in consultation with the national

level trade unions formed pursuant to Sub-rules (1), (2) and (3), issue the statute of the formal trade union, bye-laws on election and fund operation manual.

(13) The provision of the formal trade union fund shall be as follows:

- (1) There shall be a fund in the name of the formal trade union.
- (2) The fund shall consist of the following amounts:
 - (a) Such amounts for the membership fees as received from the members of the trade union active in the formal trade union as specified by the formal trade union,
 - (b) Amounts received from the Government of Nepal,
 - (c) Amounts received from various organizations and persons,
 - (d) Amounts earned or enhanced from the operation and management of the fund,
 - (e) Amounts received from other sources.
- (3) The distribution and use of the amounts credited to the formal trade union fund shall be as determined by the formal trade union.

(14) The formal trade union formed pursuant to Sub-rule (12) shall be entitled to make social dialogue and collective bargaining as

follows on the matters related with the rights and interests of employees such as security of service of civil employees, timely facilities, career development, security of body of employees and professional security of employees:

- (a) It may present the demands related with various bodies at the local district level or below than that with the concerned body. Efforts shall be made to resolve the problems by holding mutual discussions at the local level in relation to the demands so presented. If the resolution of problems cannot be made in such manner, the demands shall be submitted in writing to the District Administration Office. It shall be the duty of the Chief District Officer to make efforts to resolve the problems by holding discussions on the problems so submitted within Twenty One days. If problems cannot be so resolved, such problems, accompanied by their details, shall be forwarded to the Ministry of General Administration.
- (b) Demands related with a Ministry, Department, Constitutional Body, Commission shall be presented with the concerned body, and the Ministry, Department, Constitutional Body, Commission shall fulfill the legitimate demands than can be fulfilled by its decision upon holding discussions on the demands so presented within Twenty One days and, in the case of the matters that are required to be submitted to another body, shall forward them to the concerned body and give information thereof to the trade union, and the

respective bodies shall also seek solution within Twenty One days through the process of social dialogue and collective bargaining. If the problems cannot be so resolved, such problems, accompanied by their details, shall be forwarded to the Ministry of General Administration.

- (c) The central level formal trade union may present demands in writing, on the matters related with the rights and interests of civil employees, with the Ministry of General Administration. It shall be the duty of both the Ministry of General Administration and the formal trade union by holding discussions between them. If the Ministry of General Administration does not show readiness to seek settlement of dispute or settlement of dispute cannot be made within Twenty One days, the formal trade union shall take this matter to the employees for discussion. If a total of Sixty percent of executive committee of the formal trade union at the central, departmental and district levels express support to the demands, the demands, along with the support, shall be again submitted to the Ministry of General Administration. If the dispute cannot be settled by mutual consent within Twenty One days after the submission of such demands, the matter shall be forwarded to the Ministry of Labor and Transport Management.
- (d) The Ministry of Labor and Transport Management shall make effort to resolve the dispute within Twenty One days by holding negotiations between

both parties on the matters submitted pursuant to Clause (c).

- (e) If the dispute cannot be resolved pursuant to Clause (d) and the employees wish to launch a protest programme, the formal trade union shall give a notice containing its demands, claims and rationale for the same, a resolution adopted by Sixty percent votes of the members affiliated with the central, departmental and district level trade unions and a notice in writing to the Ministry of General Administration in advance of Thirty days, and give information thereof to the Ministry of Labor and Transport Management, Ministry of Home Affairs and Department of Labor and Employment Promotion, and may exercise the forms of collective bargaining like propagation, putting on back strap, pen down, peaceful demonstration and peaceful strike.

Provided that,

- (1) Activities such as extortion against one's will, coercion, making presentation in a vulgar manner, damaging public properties, locking out offices, closure of vehicles and Nepal *Bandh* are not allowed.
- (2) It is not allowed to make obstruction in such place, in such circumstance and in the operation of such essential service as specified, strike is

prohibited in consideration of special circumstance and as specified by the Government of Nepal by publishing a notice in the Gazette.

- (f) The Government of Nepal shall make efforts to fulfill the financial demands presented by the formal trade union pursuant to this Sub-rule, taking into account the economic condition and capacity of the country, and the decision of the Government of Nepal (Council of Ministries) shall be final in this respect.
- (g) Notwithstanding anything contained in this Sub-rule, making hindrance in the business of another office and strike in relation to the problems of any one office is not allowed.

(15) Where the processes as referred to in Clauses (a), (b), (c) and (d) of Sub-rule (14) are going on and prior thereto, protest programmes as referred to in Clause (e) of Sub-rule (14) are not allowed.

(16) In holding negotiations for collective bargaining pursuant to Clause (d) of Sub-rule (14), representation of both parties shall be had in the equal number.

(17) Notwithstanding anything contained in Sub-rule (14), the claims or demands as follows shall not be made:

- (a) Contrary to the Constitution,
- (b) Contrary to any one's interest on the basis of unproved or baseless charge,

- (c) Matter affecting the personal conduct of any employees,
- (d) Matter not related with civil employees, and if there is a dispute as to whether any matter is related with civil employees pursuant to this Clause or not, decision of the Attorney General shall be final.
- (e) Without expiration of Two years after the holding of social dialogue and collective bargaining.

(18) An agreement made to settle disputes pursuant to this Rule shall be registered with the Ministry of Labor and Transport Management. The agreement so registered shall come into force on the date, if such date is mentioned in the agreement, and on the date of its registration with the Ministry of Labor and Transport Management if such date is not mentioned in the agreement. It shall be the duty of both parties to observe the terms set forth in the agreement.

(19) If there arises any dispute in relation to the implementation of the agreement, the dispute shall be settled through mutual discussions. If the dispute cannot be settled through discussions, an application may be made to the Labor Court for the implementation of the agreement. The decision of the Labor Court on that matter shall be final.

117B.²³¹ **Employee relation committee:** (1) There shall be the following committee to make suggestions and implement timely matters, upon holding mutual discussions in order to make the civil service pro people, boost up morale of employees and develop good working culture by making timely reforms in the civil service:

²³¹ Inserted by Seventh Amendment.

- (a) Minister for General Administration -Chairperson
- (b) Chief Secretary -Member
- (c) Secretary at the Ministry of General Administration -Member
- (d) Secretary at the Ministry of Labor and Transport Management -Member
- (e) Secretary at the Ministry of Finance -Member
- (f) Chairperson and General Secretary of the formal trade union -Member

(2) The Chairperson shall call the meetings of the committee as required.

(3) If, by making a decision to that effect by a majority of the central executive committee of the formal trade union, an application in writing is made to the Chairperson for calling a meeting, the Chairperson may call the meeting within Fifteen days after the date of receipt of the application.

(4) The procedures of the committee shall be as determined by the committee itself.

118. ²³² **Statements of property to be submitted:** (1) Each civil employee shall, within Sixty days after the expiration of financial year, submit statement of property as referred to in Schedule-18 to the Civil Employees Record Office through the concerned office.

(2) An employee who is appointed newly shall submit the statements of property as referred to in Sub-rule (1) within Sixty days after the date of appointment.

²³² Amended by Seventh Amendment.

- 119. Information of purchase of immovable property to be given:** In cases where any civil employee has acquired, by way of purchase or otherwise, any immovable property in his or her name or in the name of any member of his or her family, the details including the value thereof shall have to be submitted to his or her office within One month after he or she has so purchased or acquired.
- 120. Restriction on polygamy, child marriage, unequal marriage:** No civil employee shall conclude, or cause to be concluded, polygamy, child marriage and unequal marriage in contravention of the Chapter on Marriage of the *Muluki Ain*.
- 120A.²³³ Provision relating to identity card of civil employee:** (1) Each civil employee shall bear the identity card at the time when he or she is serving in the office.
- (2) The format of the identity card of the civil employee shall be as per Schedule-19.
- 121. Restriction on causing loss and damage:** Notwithstanding anything contained elsewhere in these Rules, no civil employee shall cause any kind of loss and damage to the Government of Nepal or government office by carrying out any work with gross negligence or indiscipline or willful misconduct.
- 122. Requirement to work in office or place of deputation:** Any civil employee shall have to attend the office or place wherein or whereto he or she is posted or transferred and discharge the prescribed duties.
- 122A.²³⁴ Moral obligation of civil employees:** In performing their duties, the civil employees shall pay attention to the following moral obligations:

- (a) To make equal treatment towards the service recipients,
- (b) To give priority to greater interests of the nation and the people,
- (c) To maintain transparency of the criteria and procedures of the distribution of goods and services,
- (d) To protect public properties,
- (e) To mobilize means and resources economically,
- (f) To simplify the process of work performance,
- (g) To remain effortful to discharge responsibilities within a minimum of time,
- (h) To respect basic human values and norms,
- (i) To make equal treatment and respect with equal perception towards all communities and regions.

123. Calculation of period of previous service: (1) While calculating the period of previous service of any civil employee, it shall be calculated as follows:

- (a) For purposes of the calculation of seniority for promotion, cent percent of the period of service rendered previously in the civil²³⁵ service or post after having permanent appointment thereto (if service has been discontinued in the meantime, after deducting the period of discontinuity therefrom) shall be calculated, and in the case of a civil employee who has previously served in a post

233 Inserted by Seventh Amendment.

234 Inserted by Seventh Amendment.

towards development and kept that service continual or a civil employee who has previously served temporarily in a post towards the regular stream of the civil service ²³⁶for more than One year and kept that service continual and permanently appointed to the civil service, the previous development or temporary service period shall be calculated as follows:

- (1) For the period of service in the post of Gazetted first class - Thirty Three percent
- (2) For the period of service in the post of Gazetted second class - Fifty percent
- (3) For the period of service in the post of Gazetted third class - Sixty-six percent
- (4) For the period of service in the Non-gazetted class and in the post of helper - Seventy-five percent

(b)²³⁷ For purposes of pension, the period of service rendered previously in the government service or post after having permanent appointment thereto (if service has been discontinued in the meantime, after deducting the period of discontinuity therefrom) and in the case of a civil employee who

²³⁵ Amended by Seventh Amendment.

²³⁶ Inserted by Seventh Amendment.

²³⁷ Amended by Second Amendment.

has previously served in a post²³⁸
towards development after getting appointment
thereto prior to 2026.8.11(26 Nov. 1969) and kept
the service in such post continual and then
permanently appointed to the permanent service,
the period of service rendered permanently²³⁹ in
such post towards the development and general
stream.

(2) Notwithstanding anything contained in Sub-rule (1), in cases
where any person, who has already obtained gratuity for any previous
government²⁴⁰ service, is appointed again to a civil post, the period of his
or her previous service shall be counted in the current post under this
Rule only if he or she returns the amount of gratuity obtained by him or
her previously.

(3)²⁴¹ The civil employees serving in the civil service at the time of
commencement of these Rules shall, within One year from date of
commencement of this Rule, and the civil employees appointed after the
commencement of these Rules shall, within One year from the date of
such appointment, have to get added the period of service pursuant to
these Rules. In cases where the period of service has not been added
within such period, the period of such service shall not be added.

(3a)²⁴² No previous service period may be got added and facility
obtained by adding the service period in any process other than that set
forth in this Rule.

238 Deleted by Seventh Amendment.

239 Amended by the Eighth Amendment.

240 Amended by Seventh Amendment.

241 Inserted by Second Amendment.

242 Inserted by Seventh Amendment.

(4)²⁴³ The civil employee intending to add the period of previous service to the current service pursuant to Sub-rule (3) shall submit the details of study leave, extra-ordinary leave, medical expenses and record of insurance taken prior to the addition of service to the Civil Employees Record Office.

Explanation:²⁴⁴ For the purposes of this Rule, the term "government service" means the civil service, parliament service and health service with entitlement to pension from the state fund of the Government of Nepal.

124. Hand over and take over to be made: (1) Unless otherwise prescribed by the Government of Nepal, a civil employee shall have to hand over all such cash, inventories, goods and accounts and books of incomes and expenditures under his or her responsibility as required to be handed over by him or her to the concerned employee in accordance with Section 74 of the Act within Twenty One days; and the employee required to take over the same shall have to take over the charge within that time limit.

(2) Each civil employee shall have to give Notification of the day on which he or she intends to assume office to the predecessor and the predecessor shall also have to be ready to make hand-over on the same day.

(3) After completion of the hand-over, a Notification thereof shall have to be sent to the concerned higher office. In the event that the successor has not yet joined, the predecessor shall have to make hand-over to his or her immediate subordinate employee and proceed to join the new office within the time limit, and such sub-ordinate employee shall also have to take over the charge.

²⁴³ Inserted by Second Amendment.

(4) For the purpose of handing over the charge, any civil employee may make arrangements for taking or handing over the charge by appointing his or her brother, son or trusted person as his or her attorney.

125. Result-oriented action plan to be prepared: (1) Each Chief of Office or Head of Department shall have to prepare and maintain an annual action plan clearly showing the division of work of all the employees under him or her on the basis of the functions, duties and responsibilities prescribed for each post.

(2) While preparing an action plan pursuant to Sub-rule (1), the detailed description of work, quantity, cost and time shall have to be mentioned to the extent possible in order to make the work performance of the concerned employee result oriented.

126.²⁴⁵ Provisions relating to work performance evaluation form: The work performance evaluation form of a civil employee shall be kept secret as prescribed by the Competent Authority.

127.²⁴⁶ Equivalency fixation committee: (1) If there is a doubt as to whether an education degree obtained by a civil employee is related with the concerned service, group or sub-group for the purposes of promotion, the following committee shall make decision thereon:

- (a) Secretary of the Ministry or
chief of body operating the
service, group or sub-group -Chairperson
- (b) Secretary of the Public Service

244 Inserted by Seventh Amendment.

245 Amended by Seventh Amendment.

246 Amended by Seventh Amendment.

- Commission or a gazette first class officer of the Commission designated by him or her -Member
- (c) Secretary of the Ministry of General Administration or a gazette first class officer designated by him or her -Member
- (d) One professor or expert of any university of Nepal related with the subject of which equivalency/relevancy is to be fixed -Member
- (e) Officer designated by the Secretary of the Ministry or chief of body operating the service, group or sub-group -Member secretary

(2) If there is a doubt as to whether the subject, division and grade of a training taken by a civil employee, for the purposes of promotion, there shall be a committee as follows to fix equivalency on that subject:

- (a) Secretary of the Ministry or chief of body operating the service, group or sub-group -Chairperson
- (b) Secretary of the Ministry of General Administration or a gazette first class officer designated by him or her -Member
- (c) Gazetted first class officer of the
-

Public Service Commission -Member
designated

- (d) Chief of training institute or training chief related with the subject of training of which equivalency/relevancy is to be fixed or one representative designated by him or her -Member
- (e) Such expert related with the training as designated by the Secretary of the Ministry or body related with the service, group or sub-group -Member
- (f) Officer designated by the Secretary of the Ministry or body operating the service, group or sub-group -Member secretary

(3) If the committees as referred to in Sub-rule (1) and (2) fix equivalency in relation to the educational qualification and training submitted by a potential candidate for promotion prior to the holding of the promotion committee, the marks of such educational qualification and training shall also be calculated for promotion.

(4) The Ministry or body operating the service, group or sub-group shall publish a notice of subjects of educational qualification of which equivalency has been fixed by the committees as referred to in this Rule in the Nepal Gazette.

(5) The secretariat of the committees as referred to in Sub-rules (1) and (2) shall remain in the Ministry concerned with the service, group or sub-group.

127A.²⁴⁷ **Prior approval to be obtained:** (1) A civil employee who intends to study at his or her personal effort within or outside the country after the commencement of this Rule shall obtain prior approval of the Competent Authority of the concerned body.

(2) Notwithstanding anything contained in Sub-rule (1), prior approval is not required to be obtained by a civil employee to appear in an examination as a private student and study in the place where he or she is in service outside office hours.

Provided that, such an employee shall give information thereof to the body where he or she is in service.

128.²⁴⁸ **Provision relating to festival expenses:** (1) A civil employee shall be entitled to an amount equal to the salary of One month obtainable by him or her in accordance with Sub-section (1) of Section 32 of the Act in advance of Fifteen days of the main festival in relation to which he or she intends to obtain the festival expenses, every year. While so giving the festival expenses, the salary of the preceding month shall also be paid by debiting as expense even though the month preceding that festival has not expired.

(2) Except in the circumstance as referred to in Sub-rule (10) of Rule 58, a civil employee who is on the extra-ordinary leave and on the leave without pay as referred to in Section 71A. of the Act shall be not be entitled to the festival expenses during the period of such leave.

(3) Information in writing as to the main festival in relation to which they intend to receive the festival expenses and possible months falling in such festivals shall be given to the concerned office within Three months after the date of the commencement of this Rule by the

247 Inserted by Seventh Amendment.

248 Amended by Seventh Amendment.

civil employees who are in service in the service at the time of commencement of this Rule and after the date of assumption of office by the civil employees who are appointed after the commencement of this Rule. After an application is so made, the employee shall not be entitled to demand for expenses at another festival during the period of his or her service.

128A.²⁴⁹ **Provision relating to resignation:** (1) If a civil employee intends to resign his or her post voluntarily, he or she tender resignation in writing with the office where he or she is serving.

(2) The office with which resignation has been tendered pursuant to Sub-rule (1) has to be got identified by the concerned employee.

Provided that, while identifying the resignation by a civil employee staying outside of Nepal, such employee may make such identification before the Nepalese embassy or before the notary public of the concerned country where there is not Nepalese embassy and send the same to the concerned office.

(3) The following body or office-bearer may accept the resignation submitted pursuant to Sub-rules (1) and (2):

- (a) The Government of Nepal, Council of Ministers, in the case of civil employees of gazette first class and of posts higher than that,
- (b) The Secretary of the Ministry operating the service or Head of Depart equivalent thereto, in the case of civil employees of gazette second and third classes,

²⁴⁹ Inserted by Seventh Amendment.

- (c) Head of Department or Chief of Office in the case of civil employees of non-gazetted and classless posts.

129. Letter of retirement: The competent Authority shall have the powers to issue the letter of retirement to a civil employee.

129A.²⁵⁰ Provision relating to letter of authority: (1) On the recommendation of the concerned office, the Civil Employees Record Office shall issue a letter of authority entitling a civil employee who gets pension to gratuity, pension, family pension and other facilities and subsistence obtainable by him or her on retirement from the service.

(2) Notwithstanding anything contained in Sub-rule (1), where a duplicate copy of a letter of authority once issued by the Civil Employees Record Office has to be issued by the reason that the pages of letter of authority have run out or it has been lost or where the name of person entitled to family pension has to be changed by the reason that the holder of pension letter or family pension letter has died, a new letter of authority shall be issued in accordance with Rules by the Funds and Accounts Controller Office of the district where the bank from which payment of pension was being received. The Funds and Accounts Controller Office shall give information of the issuance of such new letter of authority to the Civil Employees Record Office and the *Kaushi Toshakhana*.

(3) The Funds and Accounts Controller Office shall issue the letter of authority pursuant to Sub-section (2) on the basis of the following documents:

- (a) Duplicate copy of the citizenship certificate,

²⁵⁰ Amended by Seventh Amendment.

- (b) In the event of a need to change the name of a person entitled to family pension as a result of the death of the holder of letter of pension, the previous letter of authority, certificate of death registration and certification of relation, among others.

(4) If any civil employee has got payment of salary and allowance upon holding service for a period longer than that of his or her retirement, the letter of authority of pension shall be made only upon recovering the salary and allowance drawn by such an employees from the pension payable to him or her.

130. Record of employee dismissed from service to be maintained: (1)

In respect of any civil employee who has been dismissed from service, with being disqualified for the government service in the future, the authority empowered to issue order of dismissal shall have to send a notice thereof, mentioning, *inter alia*, the details of three generations and identification of such employee to the Public Service Commission, Police Headquarters and the Civil Employees Record Office. The Police Headquarters shall have to send such notice to each District Police Office.

(2) In cases where the person so dismissed from the service pursuant to Sub-rule (1) has been re-appointed to the civil service or post, the salary obtained by him or her upon such appointment shall be recovered from him or her, and he or she shall be immediately dismissed from the service.

130A.²⁵¹ Duplicate copy to be given: While requesting for the duplicate copy of any record related to him or her and maintained with the Civil

²⁵¹ Inserted by Second Amendment.

Employees Record Office, any civil employee shall make such a request through the Ministry, Secretariat, Department or Office where he or she is in service. If the civil employee makes a direct request for such a duplicate copy in the event that the request for duplicate copy could not be made through the Office where he or she is in service, the Civil Employees Record Office shall give a duplicate copy of the record after completing the procedures in accordance with Number 17 of the Chapter on Examination of Documents of the *Muluki Ain* (General Code).

131.²⁵² Provision relating to insurance: (1) For the purposes of the fixed term life insurance fund as referred to in Section 40A. of the Act, the Government of Nepal may, by publishing a notice in the Nepal Gazette, designate any insurance company within the country or any body formed pursuant to the laws in force for the operation of the fixed term life insurance, in consideration of, *inter alia*, the transaction, financial capacity of that company or body.

(2) The body as referred to in Sub-rule (1) shall have the fixed term life insurance fund as referred to in Sub-section (1) of Section 40A. of the Act.

(3) Where an employee has taken the extra-ordinary leave or study leave without pay or leave without pay, the Government shall add the amount for that period and credit the same to the fund for that period only if such employee pays amount in consideration for insurance.

(4) Even a civil employee who has been dismissed from service, with being disqualified for the government service in the future shall be

²⁵² Amended by Seventh Amendment.

entitled to the amount deposited in his or her fund and interest accrued thereon.

(5) If in providing the insured amount pursuant to this Rule, it is required to provide the amount exceeding the amount deposited in the name of the concerned civil employee, the Government of Nepal shall deposit the excess amount with the company or body as referred to in Sub-rule (1).

(6) The body designated pursuant to Sub-rule (1) shall maintain updated records reflecting severally the account of amount of each civil employee credited to the insurance fund and provide details of each year to the concerned employee.

(7) The Government of Nepal may issue and enforce required manual for the operation and management of the fixed term life insurance fund.

132. Provisions on leaving area: Any civil employee shall not leave the district or area where his or her office is located without approval of the authority empowered to grant leave, except in cases where he or she is deputed in the government service and is on leave.

Provided that, in cases where it is required to leave the office casually, the civil employee may travel within or outside the country with the approval of the Chief of Office submitting an application with the reasons for the same and where such approval could not be obtained due to lack of time, by submitting a written or verbal report to the concerned Office, Department or Secretariat, giving the reason for the same. While so leaving office, necessary arrangement shall have to be made so that the office work is not hampered and governmental property is not misappropriated.

133. Reasonable and justifiable action: On the basis of an application submitted by any civil employee mentioning that he or she has been aggrieved from the privileges or facilities granted under these Rules in respect of the privileges or facilities being received prior to the commencement of these Rules, the Government of Nepal may take action in a reasonable and justifiable manner.

133A.²⁵³ Provisions relating to disadvantage, grievance and handling thereof: (1) If civil employees have presented disadvantage and grievance suffered by them before the concerned supervisor or Chief of Office pursuant to Section 73A. of the Act and such disadvantage and grievance cannot be resolved or handled by that level, they may present such disadvantage and grievance before the following committee:

(a) District and regional level office grievance management committee:

(i) Concerned Chief of Office -Coordinator

(ii) Officer representative of the Appellate Government Attorney Office, in the case of a regional level office, and that of the District Government Attorney Office, in the case of a district level office -Member

(iii) Officer representative designated by the Chief District Officer, in the case of a district level office, and that designated by the -Member

²⁵³ Inserted by Seventh Amendment.

Regional Administration
Office, in the case of a
regional level office

- (iv) Chairperson of the
concerned district or region
of the formal trade union of
civil employees -Member

(b) Ministry, Commission, Secretariat, Department or
central body level office grievance management
committee:

- (i) Chief of special class of the
concerned body -Coordinator

- (ii) Representative of at least
gazette first class of the
Ministry of General
Administration -Member

- (iii) Joint Attorney of the Office
of Attorney General
designated by the Attorney
General -Member

- (iv) Concerned departmental
Chairperson of the formal
trade union of civil
employees -Member

(c) Central grievance management committee:

- (i) Chief Secretary -Coordinator

- (ii) Secretary at the Ministry of
General Administration -Member

- (iii) Deputy Attorney General -Member

designated by the Attorney
General

- (iv) Central Chairperson of the
formal trade union of civil -Member
employees

(2) The secretariat of the committee as referred to in Sub-rule (1) shall be situated in the office as designated by the coordinator of the concerned committee.

(3) The Ministry of General Administration may issue a manual on disadvantage and grievance management.

134. Restriction on fulfillment of post: No post falling vacant in the civil service shall be fulfilled in any other manner except as mentioned in the Act and these Rules.

134A.²⁵⁴ **Deemed to be disappeared:** For the purpose of providing pension and gratuity obtainable by a civil employee who has disappeared pursuant to Section 39A. of the Act to his or her family, such employee has to have disappeared for at least Two²⁵⁵ years and it could not be found out whether he or she is alive or dead.

135. Delegation of authority: (1) The Government of Nepal may so delegate the powers conferred to it under these Rules to any civil employee as to be exercisable by such employee.

(2) Any official may so delegate the powers conferred to him or her by these Rules to his or her subordinate civil employee as to be exercisable under his or her general supervision.

254 Inserted by Second Amendment.

255 Amended by Seventh Amendment.

136. Powers to make alteration, addition and deletion in Schedule:

The Government of Nepal may, from time to time, make alteration and addition or deletion in the Schedules or contents contained in the Schedules, by publishing a notice in the Nepal Gazette.

137. Special provision relating to the employees of the Nepal Judicial

Service: Notwithstanding anything contained elsewhere in these Rules, in relation to the matters as referred to in the functions, duties and powers as well as jurisdiction of the Judicial Service Commission in accordance with the Interim Constitution of Nepal, 2007,²⁵⁶ the matters specified in the Constitution, the laws in force relating to the Judicial Service Commission and the Rules Relating to Division of Class, Recruitment, Transfer and Promotion of Employees of the Nepal Judicial Service shall be as referred to in such Constitution, laws and Rules, and the other matters shall be governed by these Rules.

138. Repeal and saving: (1) The Civil Service Rules, 2021 (1964) is, hereby, repealed.

(2) Any acts done and actions taken under the Civil Service Rules, 2021 (1964) shall be deemed to have been done and taken under these Rules.

(3)²⁵⁷ The matters set forth in these Rules in relation to the civil service shall be governed by these Rules, and the other matters shall be as set forth in the rules framed separately for separate services or groups.

(4) Notwithstanding anything contained in Sub-rule (3), these Rules shall apply to promotion.

²⁵⁶ Amended by Seventh Amendment.

²⁵⁷ Amended by Seventh Amendment.

Schedule-1

(Relating to Clause (b) of Rule 2)

Heads of Department

1. Chief Commissioner of the Commission for the Investigation of Abuse of Authority.
2. Chairperson of the Public Service Commission.
3. Chief Election Commissioner.
4. Attorney General.
5. Secretaries²⁵⁸ of the Ministries/Secretariats/Constitutional Bodies and agencies and other permanent commissions.
6. Registrar of the Supreme Court.
7. Deputy Attorney General.²⁵⁹
8. Auditor General.
9. Chairperson of the Revenue Tribunal.
10.²⁶⁰
11. Heads of central level Departments of the Government of Nepal.
12. Chiefs of Offices at the department level and central level offices with gazetted first class officers as the chief.

258 Deleted by Seventh Amendment.

259 Amended by Seventh Amendment.

260 Deleted by Seventh Amendment.

13. Chief of General, Adjutant General, Quartermaster or Commanders (only the agency where civil employees are employed).
14. Chiefs of regional level offices.
15. Chief of²⁶¹ embassies and missions abroad.
16. Secretary²⁶² of the Water and Energy Commission.
17. Chief District Officers.
18. Registrars of the Appellate Courts.
19. Joint Attorneys²⁶³ of the Appellate Government Attorney Offices.
20. Local Development Officers.
21. Registrar of the Administrative Court.
22. Other officials as specified by the Government of Nepal from time to time by publishing a notice in the Nepal Gazette.
- 23.²⁶⁴ The Chairperson of the Labor Court or where there is only one case trying official, that official:
- 24.²⁶⁵ Chief of Office at the Office of Deputy Prime Minister.
- 24A.²⁶⁶ Regional Administrators at the Regional Administration Offices.
- 25.²⁶⁷ Chief Officer of the National Vigilance Center.

261 Deleted by a notice in the Gazette dated 2064.9.4 (19 Dec. 1992).

262 Amended by Seventh Amendment.

263 Amended by Seventh Amendment.

264 Included by a notice of 2053.6.14 (30 Sept. 1996) Nepal Gazette, dated 2053.6.14 (30 Sept. 1996).

265 Inserted by a notice of 2054.4.20 (4 Aug. 1997) Nepal Gazette, dated 2054.4.20 (4 Aug. 1997).

266 Included by a notice of 2058.1.17 (30 April 2001) Nepal Gazette, dated 2058.1.17 (30 April 2001)

- 26.²⁶⁸ Chief Post In-charge of the General Post Office.
- 27.²⁶⁹ Registrar of Nepal Copyright Registrar's Office.
- 28.²⁷⁰ Registrar of the Special Court.
- 29.²⁷¹ Appeal Hearing Official of the Debt Recovery Appellate Tribunal.

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267 Inserted by a notice of 2060.6.9 (26 Sept. 2003) Nepal Gazette, dated 2060.6.9 (26 Sept. 2003).
268 Included by a notice of 2058.9.16 (31 Dec. 2001) Nepal Gazette, dated 2058.9.16 (31 Dec. 2001).
269 Inserted by Seventh Amendment.
270 Inserted by Seventh Amendment.
271 Inserted by Seventh Amendment.

Schedule-2

(Relating to Clause (c) of Rule 2)

Name of Offices

1. Zonal Offices of the Public Service Commission.
2. District Courts.
3. District Government Attorney Offices.
4.²⁷²
5. District-based Offices of Funds and Accounts Controller.
6.²⁷³
- 7.²⁷⁴ The following offices under the Department of Agriculture:
 - (a) Regional Agriculture Training Centers.
 - (b) District Agriculture Development Offices.
 - (c) Regional Seeds Laboratory.
 - (d) Regional Plant Protection Laboratory.
 - (e) Plant Quarantine Offices.
 - (f) Aquaculture Laboratories.

- 7A.²⁷⁵ The following offices under the Department of Livestock:

²⁷² Repealed by Nepal Health Service Rules, 2055 (1999).

²⁷³ Repealed by Nepal Health Service Rules, 2055 (1999).

²⁷⁴ Amended by Seventh Amendment.

²⁷⁵ Inserted by Seventh Amendment.

- (a) District Livestock Services Offices.
- (b) Animal Quarantine Offices.
- (c) Regional Laboratories.
- (d) Regional Training Centers.
- (e) Farms/ Offices.
- (f) Breeding Centers.

7B.²⁷⁶ The following offices under the Department of Food Technology and Quality Control:

- (a) Regional Food Technology and Quality Control Offices.
- (b) Food Quarantine Laboratories.
- (c) Apple Processing Center, Jumla.

8. Division and Co-operatives Training²⁷⁷ Offices.

9. Cooperatives Development Training Centre.

10. District Education Offices.

11.²⁷⁸ Section Statistics Offices.

12. Division²⁷⁹ Irrigation Offices.

13. Cottage and Small-Scale Industry Offices.

²⁷⁶ Inserted by Seventh Amendment.

²⁷⁷ Amended by Seventh Amendment.

²⁷⁸ Altered by Notification dated 2052-11-10 (Feb. 22, 1996) (Nepal Gazette dated 2052-11-10 (Feb. 22, 1996)

²⁷⁹ Amended by Seventh Amendment.

14. Zonal Offices under the National Transportation Management Department.
15. Division-level²⁸⁰ Offices under the Department of Roads.
16. Zonal Offices under Nepal Standards and Weight Measurement Department.
17. Commerce Offices under the Ministry of Commerce.
18. Division-level²⁸¹ Offices under the Department of Housing and Urban Development.
19. Division-level²⁸² Offices under the Department of Water Supply and Sewerage.
20. District Forest Offices.
21. National Parks, Wild Life Reserve, Hunting Reserve and Division-level²⁸³ Conservation Offices.
22.²⁸⁴ Botanical Garden, *Godawari*.
23. District Soil Conservation Offices.
24. District-based Offices of the Department of Botany.
25. Main Customs Offices.
26. In-land Revenue²⁸⁵ Offices.
- 27.-²⁸⁶

280 Amended by Seventh Amendment.

281 Amended by Seventh Amendment.

282 Amended by Seventh Amendment.

283 Amended by Seventh Amendment.

284 Deleted by Notification in the Gazette dated 2064.9.4 (19 Dec. 1992).

285 Amended by Seventh Amendment.

- 28.²⁸⁷
- 29.²⁸⁸
30. Tourism Office, Pokhara, and Tourism Information Centers.
- 31.²⁸⁹ Land Revenue Offices.
- 32.²⁹⁰ Land Reform Offices.
33. Survey, General Survey Offices²⁹¹ and Survey Training Centers under the Department of Survey.
- 34.²⁹²
- 35.²⁹³
- 36.²⁹⁴
37. Central Recovery Office.
38. The following offices under the Department of Postal Services:
- (a) District Post Offices having the gazetted officer as the chief.
 - (b) Central Postal Stamps Store.
 - (c) Central Money Order Office.
 - (d) Postal Training Centre.

286 Deleted by Seventh Amendment.
287 Deleted by Notification dated 2053-6-14 (30 Sept. 1996).
(Nepal Gazette dated 2053-6-14 (30 Sept. 1996).
288 Deleted by Seventh Amendment.
289 Deleted by Seventh Amendment.
290 Altered by Notification dated 2051-6-2 (Oct. 9, 1994)
(Nepal Gazette dated 2051-6-23 (Oct. 9, 1994)
291 Amended by Seventh Amendment.
292 Deleted by Seventh Amendment.
293 Deleted by Seventh Amendment.

- (e) ²⁹⁵
 - (f) Nepal Philatelic Bureau.
 - (g) ²⁹⁶ Area Postal Offices having the gazetted officer as the chief.
- 39. Labor Offices having the gazetted officer as the chief.
 - 40. Social Welfare Offices having the gazetted officer as the chief.
 - 41. ²⁹⁷ Building Construction and Maintenance Division.
 - 42. ²⁹⁸ Libraries under the Ministry of Education and Sports.
 - 43. National Archives.
 - 44. Museums under the Department of Archaeology.
 - 45. Central Cultural Heritage Protection Laboratory.
 - 46. ²⁹⁹ Nepal Army Archives.
 - 47. Palace Care-taking Offices.
 - 48. Archaeological Garden.
 - 49. ³⁰⁰
 - 50. ³⁰¹
 - 51. ³⁰²

294 Deleted by Seventh Amendment.

295 Deleted by Notification dated 2058-9-16 (Dec. 31, 2001)
(Nepal Gazette dated 2058-9-16 (Dec. 31, 2001))

296 Inserted by Notification dated 2058-9-16 (Dec. 31, 2001)

297 Amended by Seventh Amendment.

298 Amended by Seventh Amendment.

299 Deleted by the Notification in the Nepal Gazette of 2064.9.4 (19 Dec. 2007).

300 Repealed by the Nepal Health Service Rules, 2055(1999).

52. *Kaushi Tosha Khana* (Treasury named so).
53. Central Jail Hospital.
54. *Juddha* Fire Frigate.
55. ³⁰³
56. Other offices specified by the Government of Nepal from time to time by publishing a notice in the Nepal Gazette.
57. ³⁰⁴ Area Administration Section and Boundary Administration Section having the gazetted officer as the chief.
58. ³⁰⁵ Municipalities.
59. ³⁰⁶ Immigration Offices having the gazetted officer as the chief.
60. ³⁰⁷ Unit Offices under the Department of Revenue Investigation.
61. ³⁰⁸ District Election Office.
62. ³⁰⁹ Prison Branches having the gazetted officer as the chief.
63. ³¹⁰ Women Development Office.
64. ³¹¹ Debt Recovery Tribunal.

301 Repealed by the Nepal Health Service Rules, 2055(1999).

302 Repealed by the Nepal Health Service Rules, 2055(1999).

303 Deleted by Notification dated 2051-1-15 (April 28, 1994), with effective from 2050-11-1 (Feb. 13, 1994). (Nepal Gazette dated 2051-1-15 (April 28, 1994).

304 Included by Notification dated 2051-1-15 (April 28, 1994)
(Nepal Gazette, dated 2051-1-15 (April 28, 1994).

305 Inserted by Notification dated 2051-6-23 (Oct. 9, 1994)
(Nepal Gazette dated 2051-6-23 (Oct. 9, 1994)

306 Inserted by Notification dated 2052-1-18 (May 1, 1995)
(Nepal Gazette, dated 2052-1-18 (May 1, 1995)

307 Inserted by Notification dated 2053-12-25 (April 07, 1997) (Nepal Gazette dated 2053-12-25(April 07, 1997)

308 Inserted by notification dated 2054-12-24 (April 6, 1998)
(Nepal Gazette, dated 2054-12-24 (April 6, 1998).

309 Inserted by the notice of the Ministry of General Administration, dated 2061.4.18(26 July 2004).

65.³¹² Prison Offices.

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310 Inserted by the notice of the Ministry of General Administration, dated 2061.6.4(20 Sept. 2004).

311 Inserted by Seventh Amendment.

312 Inserted by Seventh Amendment.

Schedule - 3

(Relating to Rule 8)

Groups and sub-groups under the civil service

The following groups and sub-groups shall be in the civil services:

(a) Groups to be under Nepal Administration Service:

- (1) General Administration Group.
- (2) Accounts Group.
- (3) Revenue Group.
- (4) ³¹³.....
- (5) ³¹⁴.....

³¹⁵The civil employees serving in the diplomatic group at the time of the commencement of these Rules shall be converted into the Nepal Foreign Service, and such employees shall be deemed to have ipso facto converted into the posts of equivalent class.

(b) Groups to be under Nepal Forestry Service:

- (1) General Forestry.
- (2) Forest Research.
- (3) Soil and Water Conservation.
- (4) Botany.

³¹³ Deleted by the Fifth Amendment.

³¹⁴ Deleted by Seventh Amendment.

(5) ³¹⁶... ..

(6) *Hattisar*

(7) National Parks and Wildlife.

(c) ³¹⁷.....

(d)³¹⁸ Groups and sub-groups to be under Nepal Engineering Service:

(1) Civil Engineering

(a) General

(b) Highway

(c) Sanitary

(d) Building and Architect

(e) Irrigation

(f) Hydro-power

(g) Hydrology

(h) Airport

(2) Electrical Engineering:

(a) General Electrical Engineering

(b) Aviation Electrical Engineering

³¹⁵ Inserted by Seventh Amendment.

³¹⁶ Deleted with effective from 2050-12-29 (April 11, 1994)
(Nepal Gazette, dated 2050-12-29 (April 11, 1994).

³¹⁷ Deleted by the Nepal Health Service Rules, 2055 (1999.)

³¹⁸ Altered with effect from 2051.2.9(23 May 1994) (Nepal Gazette dated 2051.2.9(23 May 1994).

- (3) Electronic and Telecommunications Engineering
- (4) Mechanical Engineering:
 - (a) General Mechanical Engineering
 - (b) Aviation Mechanical Engineering
 - (c) Construction Equipment Maintenance
- (5) Aeronautical Engineering
- (6) Mining Engineering
- (7) Chemical Engineering
- (8) Metallurgical Engineering
- (9) Metrology
- (10) Meteorology
- (11) Geology
 - (a) General Geology
 - (b) Hydro-geology
 - (c) Engineering Geology
- (12) Civil Aviation Operation and Engineering
 - (a) Civil Aviation Operation.
 - (b) Flight Operation
 - (c) Aviation Fire Services
- (13) Survey

(14) Chemistry

(15) Agri-irrigation Engineering

(e) Group and sub-groups to be under Nepal Teaching Service:

(1) Teaching

(2) General Education

(a) Education Administration

(b) Science

(c) Mathematics

(d) Social Studies

(e) Agriculture (Agriculture Education)

(f) Industrial Education

(g) English

(h) Nepali

(i) Home Science

(j) Secretarial Science

(k) Adult Education

(l) Sanskrit

(3) Printing:

(a) Press Engineering

(b) Press Management

- (4) Physical Education
 - (5) Painting and Photography
 - (a) Painting
 - (b) Photography
 - (6) Archaeology
 - (7) Guidance and Counseling
 - (8) Test and Management
 - (a) Education Test and Measurement
 - (b) Personal Test and Measurement
 - (9) Library Science
- (g) Groups to be under Nepal Agriculture Service :**
- (1) Agri-extension
 - (2) Horticulture
 - (3) Fisheries
 - (4) Livestock, Poultry and Dairy Development
 - (5) Agronomy
 - (6) Plant Pathology
 - (7) Entomology
 - (8) Agri Economical, Marketing and Statistics
 - (9) Soil Science

- (10) Veterinary
- (11) Agri Engineering
- (12) Food Processing, Analysis and Nutrition.

(h) Groups and sub-groups to be under Nepal Fiscal Planning Statistic Service:

- (1) Fiscal Planning Group
- (2) Statistics Group
 - (a) General Statistics
 - (b) Bio-statistics
 - (c) Agriculture Statistics
 - (d) Demography

(h1)³¹⁹ Groups to be under Nepal Parliament Service:

- (1) Administration Group
- (2) Marshal Group

(h2)³²⁰ Groups to be under Nepal Judicial Service:

- (1) Judicial Group
- (2) Legal Group
- (3) Public Prosecutor Group

³¹⁹ Inserted by Notification dated 2051-12-19 (April 2, 1995)
(Nepal Gazette dated 2051-12-19 (April 2, 1995))

³²⁰ Inserted by Notification dated 2051-3-6 (June 20, 1994)
(Nepal Gazette, dated 2051-3-6 (June 20, 1994))

- (i) Such other groups and sub-groups of the Civil Services as prescribed from time to time by the Government of Nepal, by publishing a notice in the Nepal Gazette.

Schedule-4³²¹

(Relating to Sub-rule (1) of Rule 9)

Model of Job Description Form

The Government of Nepal Job Description Form		Post code			
		Service Group/Sub-group Class			
1. Name of Post..... Permanent <input type="checkbox"/> Temporary <input type="checkbox"/>		5..... Ministry Department Office Section			
2. Salary (Monthly) 3. Working time		6. Zone District Place.....Phone No.: ...			
4. Name of and code number of employee		Desk.....			
Functions, powers and responsibilities of the post in detail:					
SN	Functions	Powers	Responsibilities	Work performance indicator	Source of Indicator
1.					
2.					
3.					
4.					
8. Duties					
1.					
2.					

321 Amended by Seventh Amendment.

3.					
4.					

9. Required qualification:	
<p>The description of the above functions, duties, responsibilities and powers related with my post is complete and true.</p> <p style="text-align: center;">.....</p> <p style="text-align: center;">Signature of employee</p> <p>Date:</p>	<p>The description of the above functions, duties, responsibilities and powers related with the above post is complete and true.</p> <p style="text-align: center;">.....</p> <p style="text-align: center;">(Signature of the immediate official)</p> <p>Date:.....</p> <p style="text-align: center;">.....</p> <p style="text-align: center;">(Signature of the Chief of Office)</p> <p>Date:.....</p>

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Schedule - 5

(Relating to Rule 19)

Format of Health Certificate

I have examined Mr./Ms....., who has become a candidate for the post of -----in -----office of the Nepal Civil Service and, in the course of examination, I have not found him or her suffering from any communicable disease or major disease or any kind of physical disability or internal disease. Even though he or she suffers fromdisease, this will not make him or her incapable of discharging the duties of the said civil post.

His or her identification mark is

- (a) Impressions of the right thumb:
- (b) Signature of the concerned person:
- (c) Date:

Certifying doctor's:

- (a) Name :
- (b) Signature:
- (c) Registration number of the Nepal Medical Council:
- (d) Date:

Schedule- 6

(Relating to Rule 20)

Format of Oath

I, , hereby, swear in the name of God that I, as a civil employee, shall discharge the duties assigned to me faithfully to the best of my knowledge and wisdom, by being disciplined and loyal to the country and the government, subject to the Civil Service Rules, 2050 (----) and the laws in force, without fear, partiality or favor, malice or greed, and that I shall not disclose to any one other than the authorized person any governmental secrecy related with the service which is known to me either directly or indirectly at any time, irrespective of whether or not I remain in the service.

Oath taking employee's:

Oath taking certifying authority's:

(a) Name:

(a) Name:

(b) Signature:

(b) Signature:

(c) Date:

(c) Date:

(d) Service:

(d) Designation:

(e) Group/sub-group:

(e) Office:

(f) Class:

Schedule - 7

(Relating to Rule 22)

Personal Description (Sheet Roll) of Civil Employee

Guidelines:

- (1) Mention the date of birth as mentioned in the certificate of educational qualification indicating the date of birth.
- (2) Mention clear details, if you have previously worked in the permanent post of the government service, and submit certified copies of the documents pertaining thereto.
- (3) Submit copies of educational qualification and citizenship certificate.

Name of employee:

Code No. (to be filled by Civil Employees Record Office) :

--	--	--	--	--	--

NEPAL LAW COMMISSION

Sheet Roll

The Government of Nepal

..... Secretariat/Commission/Ministry/Department/Office

01. Full name and surname of employee :

Photograph of
employee,
appearing both ears

02. Permanent address :

Zone :

District:

VDC / Municipality :

Ward No. :

Village/Tole:

Block No.

03. Temporary Address :

Zone:

District :

VDC / Municipality :

Ward No.:

Village/Tole:

Block No.

04. District where house is located :

05. Date of birth :

Year : Month: Day:

06. Date to reach the age of 58 years:

07. Date to complete 30 years of service
period

08. Citizenship :

09. Religion :

10. Sex :

11. Complex :

(11a.)³²² Race

12. Name of husband /wife, if married:

Mr./Mrs.

13. Occupation of husband /wife :

14. Number of sons :

15. Number of daughters :

³²² Inserted by Seventh Amendment.

19. Name, surname of the nominee :

Zone :

District:

VDC/Municipality:

Ward No.:

Village/*Tole*:

Employee's relationship with the nominee:

20. Details of appointment :

Name of office :

Post:

Level:

Service / group:

Date of appointment :

Year: Month: Day:

16. Name of father :

17. Occupation of father :

18. Name of grand-father :

18A.³²³ Name of mother:

18B.³²⁴ Occupation of mother:

21. In the event of previous service in a permanent post of the government service, details thereof:

Name of office:

Post :

Class :

Date of appointment :

Date of leaving :

³²³ Inserted by Seventh Amendment.

³²⁴ Inserted by Seventh Amendment.

The above mentioned contents are true and correct. No punishment has been awarded to me, with being disqualified for the government service. I hereby sign covenanting that I shall bear punishment according to law if it is proved that any false matter has been set down or any matter has been set down with intent to conceal or hide any true fact knowingly.

Employee's:

Signature of certifying

(Thumb impressions)

Signature:

Chief of Office:

--	--

Right

Left

Seal of Office

For the use of the Civil Employees Record Office

1. Code number of the employee :

--	--	--	--	--	--

2. Date to complete the age of 58 years:

3. Date to complete 30 years of service period:

Signature of Head of Department or competent authority:

Seal of Office:

Description of Service

Name of employee:

Code No.

SN	Group and sub-group	Name of post	Class	Name of Office	New appointment, transfer, promotion	Date of office assumption	Date of decision	Salary	Allowance	Record entry page No. (to be filled by Civil Employee Records Office)	Remarks
01	02	03	04	05	06	07	08	09	10	11	12

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Educational qualification, training, seminar, conference

(Degree, Diploma from SLC or civil *Madhyama* examination to the highest)

Name of employee:			Code No.:						
SN	Certificate or degree	Subject of study	Name of office		Class	Educational institution		Details of training, seminar or conference	Remarks
			From	To		Name	Address		
01	02	03	04	05	06	07	08	09	10

NEPAL LAW COMMISSION

Description of decorations. titles, letters of appreciation³²⁵

SN	Description of decorations, titles, letters of appreciation	Date of receipt	Reason for conferring of decorations, titles, letters of appreciation	Facilities
01	02	03	04	05

NEPAL LAW COMMISSION

³²⁵ Amended by Seventh Amendment.

Description of Leave and Medical Treatment

Name of employee:

Code No.:

Details	Home leave			Sick leave			³²⁶ Maternity leave/Maternity care leave			Study leave			Extra ordinary leave			Period of absent	Medical expenses		Remarks
	Total	Utilized	Due	Total	Utilized	Due	Total	Utilized	Due	Total	Utilized	Due	Obtainable period	Utilized	Due		Obtained date	Amount	
01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20

³²⁶ Amended by Seventh Amendment.

Description of work carried out in categorized regions

Name of employee:					Code No:						
Serial No	Period		Place or area of posting	Place or area of service	Category of area of serving to be notified giving this sign (...)					Signature of concerned employee or certifying officer	Remarks
	From	To			Category "A" 1	Category "B" 2	Category "C" 3	Category "D" 4	327		
01	02	03	04	05	1	2	3	4		07	08
01											
02											
03											
04											
05											
06											

³²⁷ Deleted by Seventh Amendment.

Name of employee:

Code No.:

To be filled by the Civil Employees Record Office, in case any amendment has to be made other than as set forth above.

- (1) Change of address:
- (2) If change of nominee has been made, details thereof:
- (3) If any amendment has been made in other any details, details thereof:

Concerned employee's:

Certifying officer's:

Signature:

Signature:

Date:

Date:

NEPAL LAW COMMISSION

Schedule-8³²⁸

(Relating to Sub-rule (1) of Rule 30)

Classless and Non-gazetted Fifth Class Posts

1. Light and heavy vehicle driver
2. Office assistant or equivalent posts
3. Posts as prescribed in the Rules relating to the concerned service, group
4. Such other posts as prescribed by the Government of Nepal, from time to time, by publishing a notice in the Nepal Gazette.

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³²⁸ Amended by Seventh Amendment.

Schedule-8A.³²⁹

(Relating to Sub-rule (1) of Rule 34C.)

Description of offices in relation to which work performance agreement can be concluded and official making agreement

A work performance agreement may be concluded between the officials of the following offices on the basis of nature of work:

1. Director General, Department of Agriculture, Office under the Chief of Office and Project under Chief of Project
2. Director General, Department of Livestock Services
3. Director General, Department of Roads
4. Director General, Department of Water Supply and Sewerage
5. Director General, Department of Urban Development and Buildings
6. Director General, Department of Irrigation
7. Director General, Department of Water Induced Disaster Control
8. Director General, Department of Customs
9. Director General, Department of In-land Revenue
10. Director General, Department of Local Infrastructures and Rural Roads
11. Director General, Department of Education
12. Chief, Educational Human Resources Development Center
13. Chief, Curriculum Development Center

³²⁹ Inserted by Seventh Amendment.

14. Chief, Informal Education Center
15. Director General, Department of Health Services
16. Director General, Department of Women Development
17. Director General, Department of Industries
18. Director General, Department of Cottage and Small-scale Industries
19. Director General, Bureau of Standards and Measurement
20. Director General, Department of Commerce
21. Director General, Department of Mines and Geology
22. Director General, Department of Forests
23. Director General, Department of Soil and Watershed Conservation
24. Director General, Department of National Parks, Wildlife Reserve, Hunting Reserve and Conservation
25. Director General, Department of Botany
26. Director General, Civil Employees Record Office
27. Director General, Department of Labor and Employment Promotion
28. Director General, Department of Transport Management
29. Director General, Department of Drugs Administration
30. Registrar, Office of the Company Registrar
31. Special class chief of the Ministry, Commission, Secretariat or Center with the Head of Department with the Department or Chief of Office being chief of project.

Schedule-9³³⁰

(Relating to Sub-rule (17) of Rule 36)

Form of application for transfer

Date:

Re: Request for transfer.

To,.....

.....

Dear sir/madam,

I hereby make this application, accompanied by the relevant documents, along with my true and factual details, for an opportunity to serve the nation being transferred to the below-mentioned office.

Description of employee

Name of office	Post	Service/group/sub-group	Class	Date of birth	Date of attendance in the office	Home address and citizenship certificate number, date (district)

³³⁰ Amended by Seventh Amendment.

Description of previous work (mention the recent first)

Name of office	Post	Service/group/sub-group	Class	From ...to...	Year/month	Geographical region

District and office intended to be transferred to (on the basis of priority order)

- 1.
- 2.
- 3.

Attached documents:

1. Documents showing service done in the concerned office:
2. Reason for wishing to be transferred and evidence.

The contents mentioned herein are true, if proved false, I am ready to bear punishment pursuant to laws.

Applicant:

Name, surname:

Post:

Employee code No.:

Office:

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Check-list of application for transfer:

1.	Period of service required to be done in the geographical region/office pursuant to the Civil Service Act, Rules as well as transfer policy	Completed	Not completed
2.	Already service in the office	First time	Repeated
3.	Convenience to home	Yes	No
4.	Both husband and wife are in the government service	Yes	No
5.	Age of employee	Having attained 50 years	Not having attained 50 years
6.	Whether in redundancy	Yes	No
7.	Having gone for study or training deputation/ done work in an international institution, having been in deputation in Development Board and Project	To transfer lien	
8.	Letter of consent of Ministry/Department	Yes	No
9.	Where the position is immediately vacant in the body where he or she intends to be transferred to	Yes	No
10.	In the case of those who are appointed to the non-gazetted posts after 2064.4.1 (.....), whether in the concerned Zone	Ten years completed	Ten years not completed
11.	Period of compulsory retirement	Less than One year	More than One year

12.	In the body in service currently	Days of attendance	
-----	----------------------------------	--------------------	--

Yours sincerely,

Name, surname:

Post:

Employee code No.:

Office:

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Schedule -10

(Relating to Rule 37)

To be kept by the authority empowered to transfer

Format of details relating to class wise transfer of offices under him or her

Office :

District :

Date of filling details :

Serial No.	Class	Service group/sub group	Total positions	Number of fulfilled posts	Number of total vacant posts (4-5)	Number of employee transferred to the vacant posts but not having assumed office	Number of request made to the Public Service Commission	Number of actual vacant posts (6-7-8)	Remarks
1	2	3	4	5	6	7	8	9	10

Note: (1) This format is to be maintained by each office.

(2) This details shall be up-dated in every Six months.

(3) This details shall be sent to/maintained in the Ministry, operating service, group, concerned Ministry and Department.

Preparing Officer's -

Certifying Officer's -

Signature :

Signature:

Post:

Post:

Date:

Date:

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Schedule -11

(Relating to Sub-rule (1)³³¹ of Rule 38)

Description of transfer

(To be included in the personal file)

- | | |
|---------------------------|--------------------------------|
| (1) Name: | (6) Group: |
| (2) Code No. of employee: | (7) Sub-group: |
| (3) Designation: | (8) Educational qualification: |
| (4) Class: | (9) Training: |
| (5) Service: | (10) Other details (If any): |

Previous office	Office of transfer or posting	Date of transfer	Date of attendance	Reason for transfer	Date of completion of period for the next transfer	Remarks

Note: The details as per this form shall be maintained or caused to be maintained up to date by each Chief of the Office by duly filling it.

³³¹ Amended by Seventh Amendment.

Preparing Officer's -

Certifying Officer's -

Signature:

Signature:

Post:

Post:

Date:

Date:

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Schedule-11A.³³²

(Relating to Clause (b) of Sub-rule (2) of Rule 38)

Format of letter of transfer

Dear sir/madam,

Pursuant to the decision of the Government of Nepal/....., dated....., you are transferred as follows on the condition that the Ministry/Secretariat/Commission/Office of your transfer or for up to the period of.....

Previous post and office	Post and office of transfer
Nepal.....Service.....Group	Nepal.....Service.....Group
Gazetted/non-gazetted.....	Gazetted/non-gazetted.....
Class	Class

Mr.....

³³³Employee code No.:

Copy for information and action:

The Public Service Commission.

The Civil Employees Record Office.

The Employee Provident Fund.

³³² Inserted by Second Amendment.

³³³ Inserted by Seventh Amendment.

Schedule- 12

(Relating to Clause (b) of Sub-rule (2) of Rule 38)³³⁴

Dispatch Letter

The Government of Nepal

.....Ministry /Department/Office

Reference number:

Mr./Ms-----

It is hereby informed that Mr./ Ms., transferred to that office, has been given this dispatch letter with the following details and sent to attend that office.

1. Name, surname of employee:
2. Code Number of employee:
3. Previous (a) Post: (b) Class:
(c) Service: (d) Group, sub-group:
(e) Office:
4. Transfer: (a) Date of decision: (c) Class:
(b) Post: (e) Group, sub-group:
(d) Service: (f) Office:
5. Details in regard to hand-over of charge:

³³⁴ Inserted by Second Amendment.

Done

Not done

6. Date of dispatch:

7. Leave utilized up to the date of dispatch order:

(a) Casual leave and festival leave days.

(b) Home leave days.

(c) Sick leave days.

(d) Maternity leave/maternity care leave³³⁵ times

(e) Study leave days.

(f) Extra-ordinary leave days.

(g)³³⁶ Leave without pay days.

8. Accumulated leave up to the date of dispatch letter:

(a) Home leave days.

(b) Sick leave days.

(c) Maternity leave/maternity care leave³³⁷ days.

(d) Study leave days.

(e) Extra-ordinary leave days.

(f)³³⁸ Leave without pay days.

8A.³³⁹ Date of full attendance in the office:

335 Amended by Second Amendment.

336 Inserted by Seventh Amendment.

337 Amended by Second Amendment.

9. Being drawn monthly: (a) Salary (Rs.) : (b) Salary increment (Rs.):
10. Last date of payment of salary allowance:
11. Employees provident fund deduction amount:
12. Amount of payment of medical expenditure: Date :
13. Advance amount taken for daily travel allowance:
14. Starting date of salary increment:
15. Citizen Investment Fund deduction amount
16. Income tax deduction amount:
- 17.³⁴⁰ (a) Year....month....and day.... of deposit in the fixed term life insurance fund:
(b) Year....month....and day.... of payment of annual premium for the fixed term life insurance fund:
- 18.³⁴¹ (a) Old pension scheme:
(b) Year....month.... and day..... of initial date of the new pension scheme, and date of deposit of amount in the fund: Up to year.....month....
- 19.³⁴² Name of festival at which festival expense is received and date and possible month of that festival:

338 Inserted by Seventh Amendment.
339 Inserted by Seventh Amendment.
340 Inserted by Seventh Amendment.
341 Inserted by Seventh Amendment.
342 Inserted by Seventh Amendment.

20.³⁴³ Details of payment of infant care allowance to the employee:

Copy to:

The Civil Employees Record Office, Harihar Bhawan.

The Employee Provident Fund, Tridevi Marg, Thamel.

Mr./Ms. (concerned employee) : You are hereby requested to attend
the office to which you have been transferred.

³⁴⁴The..... (name and address of the organization where amount is
deposited with as per the new pension scheme.

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343 Inserted by Seventh Amendment.

344 Inserted by Seventh Amendment.

Schedule-12A.³⁴⁵

(Relating to Rule 63A.)

Format of bond executed by a civil employee who goes for study/training/tour upon being nominated by the Government of Nepal

(This bond must be submitted along with the application made for approval of the study leave with pay/deputation)

Whereas, I.....,serving in the post ofMinistry/Commission/Secretariat/Department/Office have, vide the decision of the Government of Nepal (.....level), dated....., been nominated for study/ training/study tour on -----, to be held fromtoin(country), and in pursuance of the nomination, I am going to take part in the said programme in the near future;

Now, therefore, I have submitted the following bond pursuant to Section 40D. of the Civil Service Act, 2049 (With Amendment).

- (a) I shall attend the organization operating the study/training/tour within the specified date in order to take part in the study/training/programme.
- (b) I shall fully observe the policies/rules/codes of conduct specified by the body providing scholarship and operating the programme throughout the period of the study/training/programme.
- (c) I shall return to the home country immediately on expiration of the prior approved period of the study/training/tour and attend the body in which I have lien and compulsorily serve for up to the period as referred to in Section 40(c) of the Civil Service Act, 2049(...) (As Amended).

³⁴⁵ Inserted by Seventh Amendment.

(d) If I fail to attend the body in which I have lien within the time-limit as referred to the rules immediately upon completion of the study/training/tour or fail to serve for up to the period as referred to in Section 40(c) of the Civil Service Act, 2049 (...) (As Amended), I fully consent that the Government of Nepal may recover from me, as government dues, all amounts equivalent to the salary, allowance and other economic facilities obtained by me during the period of the study/training/tour and air fare obtained to go to and come from the said programme, scholarship and other economic facilities received from the donor agency from the salary, allowance, pension or gratuity receivable by me from the Government of Nepal and the employee provident fund and citizen investment fund held in my name, amount receivable by me in lieu of my accumulated home leave and sick leave, amount receivable by me for medical expenses, insurance amount accrued with joint investment of the Government of Nepal and of me and any movable and immovable property in my name within Nepal, pursuant to Section 40(d2) of the Civil Service Act, 2049(...).

Official causing bond to be executed:

Civil employee making bond:

Signature:

Signature:

Name:

Name:

Post:

Post:

Office:

Office:

Date:

Date:

Schedule-12B.³⁴⁶

(Relating to Rule 63A.)

**Format of bond executed by a civil employee who goes on
study leave pursuant to Sub-rule (5) of Rule 61 and for
study/training/tour upon taking extra-ordinary leave pursuant to**

Clause (b) of Sub-rule (3) of Rule 62

(This bond must be submitted along with the application
made for approval of leave)

Whereas, I-----, serving in the post of
Ministry/Commission/Secretariat/Department/Office have, vide the decision of
the Government of Nepal (....level), dated....., obtained prior approval to
pursue study/ training/tour on -----, to be held fromto
.....at.....university/educational institutein(country),
and I am going to go to the said country in the near future for the above
purpose;

Now, therefore, I hereby make this bond covenanting that I shall attend the
body in which I have lien immediately on the expiration of my approved leave
as mentioned above, and shall compulsorily serve for the period equal to the
period of my leave upon returning from the study. I fully consent that if I fail to
attend the body in which I have lien immediately upon expiration of the
approved study leave for the said purpose or fail to serve for up to the said
period, the period of my leave may not be included in my service period.

³⁴⁶ Inserted by Seventh Amendment.

Official causing bond to be executed:

Civil employee making bond:

Signature:

Signature:

Name:

Name:

Post:

Post:

Office:

Office:

Date:

Date:

NEPAL LAW COMMISSION

Schedule-12C.³⁴⁷

(Relating to Rule 63A.)

Format of bond to be executed by a civil employee in the course of requesting for extra-ordinary leave to serve in a national and international organization/ institution

(This bond must be submitted along with the application made for approval of extra-ordinary leave)

Whereas, I-----, serving in the post of
Ministry/Commission/Secretariat/Department/Office have, vide the decision of the Government of Nepal (....level), dated....., obtained prior approval to serve inorganization/institution fromto

Now, therefore, I hereby make this request for the extra-ordinary leave to service in the said organization/institution for the said period. If the leave is approved, I shall attend the body in which I have lien immediately on the expiration of the period of leave, and shall, upon returning from the leave, compulsorily serve for the period equal to the period of my leave.

Official causing bond to be executed:

Civil employee making bond:

Signature:

Signature:

Name:

Name:

Post:

Post:

Office:

Office:

Date:

Date:

³⁴⁷ Inserted by Seventh Amendment.

NEPAL LAW COMMISSION

Schedule -13

(Relating to Sub-rule (1) of Rule 64)

Application of Leave

Government of Nepal

..... Office

To be used by employee			
Name <u>Employee Code No:</u> ³⁴⁸ Ministry / Department Post Office			
Please mark	Type of leave demanded	Period of leave	Reason
	1. Casual leave and festival leave		Signature or letter of employee Date:
	2. Home leave		
	3. Sick leave		
	4. <u>Maternity leave/maternity care leave</u> ³⁴⁹		
	5. Obsequies leave		
	6. Study leave		
	7. Extra-ordinary leave		
Date of leave from to			

348 Inserted by Seventh Amendment.

349 Amended by Seventh Amendment.

For use by the Personnel Administration Section

Type of leave	Previous due	Demanded at present	To remain then
1. Casual leave and festival leave			
2. Home leave			
3. Sick leave			
4. Maternity leave/maternity care leave ³⁵⁰			
5. Study leave			
6. Extra-ordinary leave			

Signature of employee

Date:

Personnel Administration Section

Recommended

Not-Recommended

Date of completion

of leave

Immediate higher officer

Date:

To mention matter , if any.....

Approved

Unapproved

Date of completion

of leave

Officer empowered to approve

Date:

Post

Designation

For information of employee

The Government of Nepal

Ministry of Health

Notice of approval of leave

Ref. No. :

Date:

Mr.

Type of leave	Period	Starting date	Date to attend office

Signature of informing employee

NEPAL LAW COMMISSION

Schedule-14

(Relating to Sub-rule (2) of Rule 69)

Description of leave and medical expenses

Name of Employee			Level and Post:			Service group:			Code No:																		
Description	Casual and festival leave			Home leave			Sick leave			Maternity leave/maternity care leave ³⁵¹			Obsequies leave			Study leave			Extraordinary leave			Received for medical expenses		Signature of the Certified Officer		Remarks	
	Total	Used	Balance	Total	Used	Balance	Total	Used	Balance	Total	Used	Balance	Total	Used	Balance	Total	Used	Balance	Total	Used	Balance	Amount	Date	Amount	Date		
Transfer of previous year																											

³⁵¹ Amended by Seventh Amendment.

Schedule-15³⁵²

(Relating to Sub-rule (1) of the Rule 78)

Work performance evaluation form of non-gazetted and classless civil employees

Guidelines for filling the work performance evaluation form:

1. This form shall have to be filled every fiscal year (on the basis of work carried out from the 1st day of the month of *Shrawan* to the last day of the month of *Ashadh* (July 15 to July 14)).
2. The work performance evaluation form has been divided into the following three sections:

Section a: Details and achievements of the work performed.

Section b: Evaluation of the level of work performance.

Section c: Evaluation of the review committee.
3. The concerned civil employee shall fill all subjects, goals and achievements in the columns specified as to be filled by the employee, under the details of work as prescribed in Section (a). In so filling the work performed by the employee, he or she shall fill from the works specified in his or her job description and included in the annual action plan. The employee shall also attach copies of his or her job description and approved annual action plan. A maximum five works covering, to the extend possible, all works carried out by him or her within the Seventh day of *Shrwan* each year shall have to be mentioned in brief. The annual work performance evaluation form filled in pursuant to Rule 78B., also putting name, signature and date thereon, shall have to be registered and

³⁵² Amended by Seventh Amendment.

submitted to the supervisor within the specified time or where it has to be sent by post, it has to be sent to the supervisor for evaluation by a registered post within the specified time.

4. After receiving the form filled in by the concerned civil employee, the supervisor shall make comments taking into account the achievements filled in by the employee, in the columns specified as to be filled and commented by the supervisor as set forth in Section (a). On the basis of achievements of works as filled in by the civil employee and comments, the supervisor shall fill the portion "Evaluation of Supervisor" of Section (b). In so making evaluation, the supervisor shall examine whether the employee has presented the description of the achievements of works specified in his her job description and included in the annual action plan and make evaluation on that basis. Upon so making evaluation, the supervisor shall so submit the work performance evaluation form, also putting his or her name, post, signature and date on it, to the reviewer that the reviewer can receive it within the last day of the month of *Shrwan*.
5. The reviewer shall fill the portion "Evaluation of Reviewer" of Section (b) on the basis of Section (a) of the form received from the supervisor, within the Fifteen day of the month of *Bhadra* each year. The reviewer shall so submit the work performance evaluation form so filled, also putting his or her name, post, signature and date on it, as the review committee can receive it.
6. If, in relation to the work performance evaluation forms submitted to the review committee, the review committee is not satisfied with the evaluation of the supervisor or reviewer or both, it may seek clarification from the reviewer or supervisor or send it back for reconsideration, along with the grounds for re-evaluation. In relation to the work performance evaluation forms so sent, the supervisor and the reviewer shall make re-

evaluation or set out rationale, reason, if is not necessary to amend the evaluation made before, and submit the same to the review committee within Three days after the receipt of the forms by the supervisor and the reviewer. If the work performance evaluation forms so submitted again do not contain reasonable reason or marks are not also amended, the review committee shall make comments on this matter and write to the concerned body to record such supervisor and reviewer and reconsider their work performance evaluation.

7. The review committee shall evaluate the work performance evaluation forms submitted also on the basis of the evaluation made by the reviewer and the supervisor and forward them to the Public Service Commission and the secretariat of the promotion committee within the last day of the month of *Bhadra* each year.
8. In respect of a civil employee who has worked under the supervision of more than one supervisor for one period, one who is the supervisor at the end of that person shall fill this form for the whole period.
9. In registering the work performance evaluation form after the period as referred to in Sub-section (6a) of Section 24A. of the Act, it has to be registered within the current financial year. The review committee shall reduce one mark in the work performance evaluation form so registered.
10. Where any civil employee has filled in the work performance evaluation form in time as required to be submitted within the specified time, and the work performance evaluation form already registered with the office is destroyed due to fire or similar other divine calamity or natural disaster, the incumbent evaluator shall, with the approval of the pertinent Ministry, send the work performance evaluation form filled in by such a civil employee, accompanied also by the cause of its destroy and evidence thereof, back to the employee to again fill in the work performance evaluation form. The evaluator shall mention the reason for re-evaluation

in, and also attach the evidence with, the work performance evaluation form so evaluated.

11. In the course of evaluating the work performance of civil employees, the supervisor shall make evaluation on the following basis:

- (a) To give a maximum of excellent grade marks, without giving most excellent grade marks, for one appropriate segment out of the four segments (cost, time, quantity and quality), to a civil employee who remains absent for more than Thirty consecutive days without getting a leave approved or without making an application for leave.
- (b) To give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quality of work, to a civil employee who has been awarded the punishment of censure or withholding of grade or promotion in respect of the year in which he or she has been awarded that punishment,
- (c) In cases, except where a civil employee has obtained certification by the Funds and Accounts Controller Office that a circumstance beyond his or her control has arisen in relation to any advance obtained by him or her, where the civil employee has not been able to settle the advance within Six months, subject to the laws in force relating for financial administration and settlement of advances, to give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quality of work, to such an employee.
- (d) Where a civil employee holding the post of Chief of Office or Head of Department or chief of project has not been able

to achieve Fifty percent goal or result throughout the year despite the sanction of funds and approval of programs during the first four monthly period of a fiscal year, to give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quality of work, to such an employee,

- (e) The goal of business to be performed by a civil employee holding a post other than the post of Chief of Office shall be determined by a collective meeting of employees within the first four monthly period of each year. In making evaluation of a civil employee who fails to achieve Fifty percent goal so determined, to give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quantity of work as referred to in Clause (d), to such an employee,

Provided that, if the goal specified in Clauses (d) and (e) could not be achieved due to other reason than that of the concerned employee, the marks shall not be decreased.

- (f) If there is any evidence that any civil employee has done an undisciplined act, to give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quantity of work,
- (g) To give a maximum of excellent grade marks, without giving most excellent grade marks, on any one of the two grounds relating to the overall quantity and quality of work to a civil employee who does not fill up the half-yearly work performance evaluation form within the time-limit as referred to in Sub-rule (2) of Rule 78B. and a civil

employee who does not evaluate the yearly and half yearly work performance.

12. Where, in reducing marks on the grounds as referred to in serial number 11, marks are to be reduced in relation to the same civil employee on more than One ground, it shall not be required to reduce marks on more than Two grounds out of the Four grounds in One year.
13. If it appears that marks have not been reduced accordingly despite the existence of the reasons as referred to in serial number 11, One mark shall be reduced in the evaluation of the work performance of such an evaluator.
14. Even if marks are to be reduced pursuant to serial number 11, there shall be attached documents accompanied by clear reasons for the same.
15. In making work performance evaluation, the work performance evaluator shall make such evaluation by clearly writing marks in such column of the work performance form as specified for the purpose of giving marks

**Format of Work performance evaluation form of non-gazetted and
classless civil employees**

Office where details are submitted to:

Registration No.:

Date:

Name of employee: Code of employee:

Period of evaluation: From..... To.....

1. Post 2. Class: 3. Service:

4. Group: 5. Sub-group:

6. Name of the Office:

7. Date of appointment to the current post:

8. Offices transferred to during this period of evaluation:

Serially:

9. Date of submission to the supervisor:

Part-A

Details of Work Performed

Works of which targets specified and not specified	Details to be filled by employee	Quantity	Cost	Time	Quality
(a)					
(b)					

(c)					
(d)					
(e)					
Other works done at one's own initiative					
(a)					
(b)					

<u>If any work could not be performed, the reason thereof:</u>			<u>Comment of supervisor:</u>
<u>Works</u>	<u>Reasons</u>	<u>Attempted to resolve</u>	(a) Rationale of reason:
(a)	(a)	(a)	Correct <input type="checkbox"/>
(b)	(b)	(b)	Incorrect <input type="checkbox"/>
(c)	(c)	(c)	(b) Attempt made to resolve reason:
(d)	(d)	(d)	Correct <input type="checkbox"/>
Signature of employee:		Date:	Incorrect <input type="checkbox"/>
			Signature of Supervisor:
			Date:

Note: (1) Possible attempt shall be made to fill the grounds specified for the works of which targets are specified, namely quantity, cost, time and quality).

(2) While filling the details of works of which targets are not specified, the civil employee shall point out the quantity, cost and time, to the extent possible.

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Part-B

Evaluation of supervisor and reviewer

Date of submission to the supervisor:

Date of submission to the reviewer:

Standard of work performance (on the basis of job description)	Evaluation of supervisor					Evaluation of Reviewer			
	Standard	Most excellent	Excellent	Normal	Low	Most excellent	Excellent	Normal	Low
	Marks	6.25	5.25	4.25	3.25	2.5	2	1.5	1
1. Overall quantity of work performed.									
2. Overall cost of work performed.									
3. Overall time of work performed									
4. Overall quality of work performed									
Total:						Marks obtained <input type="text"/>			
	Marks obtained <input type="text"/>					Full marks <input type="text" value="10"/>			
	Full marks <input type="text" value="25"/>								
Reason to be set out for giving more than 95 percent and less than 75 percent marks.	Name of Supervisor: Employee code: Signature: Date:					Name of Reviewer: Employee code: Signature: Date:			

If it is not possible to evaluate the cost, the marks set aside for this may be distributed to the rest three grounds proportionately. If description cannot be accommodated in any column, it shall be set forth in a separate sheet and

certified and attached. The supervisor and the reviewer shall make evaluation, on the grounds specified in Section 24A. of the Civil Service Act and the Civil Service Regulation and submit the forms to the reviewer or review committee within the period as referred to in Rule 78B. of the Civil Service Regulation. Reason is to be set out clearly for giving more than 95 percent and less than 75 percent marks pursuant to Sub-rule (7) of Section 24A. of the Civil Service Act, and less than 75 marks are given, information thereof shall be given to the concerned civil employee, and if the employee makes any comments, the form shall be accompanied also by such comments and submitted to the review committee. The Competent Authority shall take departmental action against the evaluator who uses tipex over the marks obtained.

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Part-C

Evaluation by the review committee

Name of employee:

Post:

Class:

Date of submission to the review committee:

	Standard	Most excellent	Excellent	Normal	Low
Personal quality and conduct					
	Marks	1	0.75	0.50	0.25
(a) For non-gazetted employees					
(1) Knowledge of subject matter and skills					
(2) Ability to maintain secrecy.					
(3) Ability to act as per direction					
(4) Attendance, time and discipline					
(5) Honesty and morality					
Full marks <input style="width: 50px;" type="text" value="5"/>					
Total marks obtained <input style="width: 80px;" type="text"/>					
	Marks				
	Standard	Most excellent	Excellent	Normal	Low
(b) For classless employees	Marks	1	0.75	0.50	0.25
(1) Knowledge of subject matter and skills					

(2) Ability to act as per direction					
(3) Interest in work, and enthusiasm					
(4) Obedience and discipline					
(5) Vigilance and promptness					
Full marks <input type="text" value="5"/>					
Total marks obtained <input type="text"/>					
	Marks				

Review committee officials':

Name Post Employee code Signature Total marks secured

1. In figure:

2. In words:

3.

Date:

Note: If the review committee is to give more than 95 percent and less than 75 percent marks pursuant to Sub-section (7) of Section 24A. of the Civil Service Act, clear reason shall be assigned for the same.

Schedule-15A.³⁵³

(Relating to Sub-rule (1) of Rule 78)

Semi-annual and annual work performance evaluation form of gazetted civil employees

Guidelines for filling the work performance evaluation form:

1. The semi-annual work performance form of this Schedule shall have to be filled on the basis of every semi-annual period and the annual work performance evaluation form shall have to be filled on the basis of every fiscal year (on the basis of work carried out from the 1st day of the month of *Shrawan* to the last day of the month of *Ashadh* (July 15 to July 14).
2. The work performance evaluation form has been divided into the following three sections:

Section a: Semi-annual work performance evaluation form.

Section b: Annual work performance evaluation form (evaluation by the supervisor and the reviewer)

Section c: Evaluation by the review committee.
3. The concerned civil employee shall fill all columns from 1 to 4 specified as to be filled by the employee, as prescribed in Section (a). Works have to be mentioned in short in a manner to cover all works performed by him or her in the specified period, to the extent possible. The works so mentioned as to have been performed by the employee have to be included in his or her job description and in the annual action plan. Generally, works which are not included in the job description and the

³⁵³ Amended by Seventh Amendment.

action plan and which are included in the job description and action plan of another post shall not be filled. The form so filled, also putting name, signature and date thereon, shall have to be registered with the concerned office for the purpose of submitting to the specified supervisor, within Seven days of the expiration of every period. In submitting such a form, the employee shall also attach copies of his or her job description and approved annual action plan. In evaluating the semi-annual work performance evaluation form so filled by the gazetted employee, the supervisor shall examine whether the works mentioned as performed by the concerned civil employee are included in his or her job description and approved action plan and the employee has presented the description of the achievements of works specified in his or her job description and included in the annual action plan, and shall return it, along with his or her feedbacks to the concerned employee within another Seven days. The annual work performance evaluation form filled in pursuant to Rule 78B., mentioning the works performed by the concerned employee, within the Seventh day of the month of *Shrwan* each year, also putting name, signature and date thereon, shall have to be registered for evaluation and submitted to the supervisor within the specified time or where it has to be sent by post, it has to be sent to the supervisor for evaluation by a registered post within the specified time. On the basis of the semi-annual work performance evaluation form filled in by the civil employee, the supervisor shall fill in the portion "Evaluation of Supervisor" of Section (b) for annual work performance evaluation within the last day of the month of *Shrwan* each year.

4. After making such evaluation, the supervisor shall, putting his or her name, post, signature and date on it, submit the work performance evaluation form to the reviewer so that the reviewer can receive it.

5. The reviewer shall fill the portion "Evaluation of Reviewer" of Section (c) on the basis of the annual work performance evaluation form received from the supervisor, within the Fifteen day of the month of *Bhadra* each year. The reviewer shall submit the work performance evaluation form so filled, also putting his or her name, signature and date on it, to the review committee.
6. If, in relation to the work performance evaluation forms submitted to the review committee, the review committee is not satisfied with the evaluation of the supervisor or the reviewer or both, it may seek clarification from the reviewer or supervisor or send it back for reconsideration, along with the grounds for re-evaluation. In relation to the work performance evaluation forms so sent, the supervisor and the reviewer shall make re-evaluation or set out rationale, reason, if is not necessary to amend the evaluation made before, and submit the same to the review committee within Three days after the receipt of the forms by the supervisor and the reviewer. If the work performance evaluation forms so submitted again do not contain reasonable reason or marks are not also amended, the review committee shall make comments on this matter and write to the concerned body to record such supervisor and reviewer and reconsider their work performance evaluation.
7. The review committee shall evaluate the annual work performance evaluation forms submitted also on the basis of the evaluation made by the reviewer and the supervisor and forward them to the Public Service Commission and the secretariat of the promotion committee within the last day of the month of *Bhadra* each year.
8. In respect of a civil employee who has worked under the supervision of more than one supervisor for one period, one who is the supervisor at the end of that person shall fill this form for the whole period.

9. In registering the work performance evaluation form after the period as referred to in Sub-section (6a) of Section 24A. of the Act, it has to be registered within the current financial year. The review committee shall reduce one mark in the work performance evaluation form so registered.
10. Where any civil employee has filled in the work performance evaluation form in time as required to be submitted within the specified time, and the work performance evaluation form already registered with the office is destroyed due to fire or similar other divine calamity or natural disaster, the incumbent evaluator shall, along with the recommendation of the pertinent Ministry, send the work performance evaluation form filled in by such a civil employee, accompanied also by the cause of its destroy and evidence thereof, to the Ministry of General Administration for approval, and upon receipt of approval from the Ministry of General Administration , the incumbent evaluator shall cause the concerned employee to again fill in the work performance evaluation form, accompanied by the evidence. The evaluator shall mention the reason for re-evaluation in, and also attach the evidence with, the work performance evaluation form so evaluated.
11. In the course of evaluating the work performance of civil employees, the supervisor shall make evaluation on the following basis:
 - (a) To give a maximum of excellent grade marks, without giving most excellent grade marks, for one appropriate segment out of the four segments (cost, time, quantity and quality), to a civil employee who remains absent for more that Thirty consecutive days without getting a leave approved or without making an application for leave,
 - (b) To give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quality of work, to a civil employee who has been awarded the

punishment of censure or withholding of grade or promotion in respect of the year in which he or she has been awarded that punishment,

- (c) In cases, except where a civil employee has obtained certification by the Funds and Accounts Controller Office that a circumstance beyond his or her control has arisen in relation to any advance obtained by him or her, where the civil employee has not been able to settle the advance within Six months, subject to the laws in force relating for financial administration and settlement of advances, to give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quality of work, to such an employee.
- (d) Where a civil employee holding the post of Chief of Office or Head of Department or chief of project has not been able to achieve Fifty percent goal or result throughout the year despite the sanction of funds and approval of programmes during the first four monthly period of a fiscal year, to give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quality of work, to such an employee,
- (e) The goal of business to be performed by a civil employee holding a post other than the post of Chief of Office shall be determined by a collective meeting of employees within the first four monthly period of each year. In making evaluation of a civil employee who fails to achieve Fifty percent goal so determined, to give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quantity of work as referred to in Clause (d), to such an employee,

Provided that, if the goal specified in Clauses (d) and (e) could not be achieved due to other reason than that of the concerned employee, the marks shall not be decreased.

- (f) If there is any evidence that any civil employee has done an undisciplined act, to give a maximum of excellent grade marks, without giving most excellent grade marks, on the ground relating to the overall quantity of work,
 - (g) To give a maximum of excellent grade marks, without giving most excellent grade marks, on any one of the two grounds relating to the overall quantity and quality of work to a civil employee who does not fill up the half-yearly work performance evaluation form within the time-limit as referred to in Sub-rule (2) of Rule 78B. and a civil employee who does not evaluate the yearly and half yearly work performance.
12. Where, in reducing marks on the grounds as referred to in serial number 11, marks are to be reduced in relation to the same civil employee on more than One ground, it shall not be required to reduce marks on more than Two grounds out of the Four grounds in One year.
 13. If it appears that marks have not been reduced accordingly despite the existence of the reasons as referred to in serial number 11, One mark shall be reduced in the evaluation of the work performance of such an evaluator.
 14. Even if marks are to be reduced pursuant to serial number 11, there shall be attached documents accompanied by clear reasons for the same.
 15. In making work performance evaluation, the work performance evaluator shall make such evaluation by clearly write marks in such

column of the work performance form as specified for the purpose of giving marks

NEPAL LAW COMMISSION

Part-A

Format of semi-annual work performance evaluation form of gazetted civil employees

1. First semi-annual work performance evaluation form

Period of evaluation: From the month of *Shrwan* of year.... to the last day of the month of *Poush*

Office where details are submitted to: Registration No.: Date:

Name of employee: Code of employee

Post and Class:

Service:

Group or Sub-group:

Name of the Office presently in service:

Date of appointment to the current post:

Offices transferred to during this period of evaluation (Serially):

Date of submission to the supervisor:

To be filled in by employee					
Performed works (of which goals/targets specified and not specified) (1)	Work performance indicator (2)			Progress of work discharged according to work performance indicator (3)	In the event of non-performance of work, reason for the same (4)
	Unit (mention quantity, cost and time, to the extent possible)	Semi-annual targets	Annual targets		

Works as per the job description and annual programme (a) (b) (c) (d) (e) Other works performed at one's own initiative (a) (b)					
		100 percent	100 percent	Average percent	

Signature of the employee:

Date:

Criteria for measurement of time taken in performance of work			Criteria for measurement of progress of work performance		
1	Work performed in or prior to the specified time	Most excellent	1	From 80 to 100 percent	Most excellent
2	Up to 15 percent work out of the whole work is performed	Excellent	2	From 65 to 79.99 percent	Excellent

	after the specified time				
3	Up to 30 percent work out of the whole work is performed after the specified time	Normal	3	From 50 to 64.99 percent	Normal
4	More than 30 percent work out of the whole work is performed after the specified time	Low	4	Less than 50 percent	Low

(a) Level, feedback or view of the concerned supervisor:

Supervisor's signature:

Name:

Post:

Employee code:

Date:

(b) View and comment of the concerned employee:

Note:

- (1) The concerned civil employee shall fill the actual details up to columns 1, 2, 3 and 4 of the above form for the first semi-annual evaluation and register it with the concerned office for the purpose of submitting it to the supervisor within the Seventh day of the month of *Magha* every year.
- (2) A minimum of Five works have to be mentioned in the description of the works performed.

- (3) Works mentioned have to correspond to the objectives of the organization and the job description of the post.
- (4) For any work of which annual target cannot be specified at the beginning, the works performed throughout the year shall be considered to be the annual target.
- (5) The supervisor shall make evaluation of the semi-annual evaluation form submitted to him or her within Seven days and provide a copy of the evaluation form to the concerned civil employee.
- (6) If it is not possible to evaluate the time, evaluation shall be made by making analysis also on the basis of the overall quantity achieved. If description cannot be accommodated in any column, it shall be set forth in a separate sheet and certified and attached.
- (7) Evaluation shall be made by writing the marks in the column specified for the purpose of giving marks.

**Format of semi-annual work performance evaluation
form of gazetted civil employees**

2. Second semi-annual work performance evaluation form

Period of evaluation: From the month of *Magha* of year.... to the last day of the month of *Ashadh*

Office where details are submitted to: Registration No.: Date:

Name of employee: Code of employee

Post and Class:

Service:

Group or Sub-group:

Name of the Office presently in service:

Date of appointment to the current post:

Offices transferred to during this period of evaluation (Serially):

Date of submission to the supervisor:

To be filled in by employee					
Performed works (of which goals/targets specified and not specified) (1)	Work performance indicator (2)			Progress of work discharged according to work performance indicator (3)	In the event of non-performance of work, reason for the same (4)
	Unit (mention quantity, cost and time, to the extent	Semi-annual targets	Annual targets		

	possible)				
Works as per the job description and annual programme					
(a)					
(b)					
(c)					
(d)					
(e)					
Other works performed at one's own initiative					
(a)					
(b)					
		100 percent	100 percent	Average percent	

Signature of the employee:

Date:

Criteria for measurement of time taken in performance of work			Criteria for measurement of progress of work performance		
1	Work performed in or prior to the specified time	Most excellent	1	From 80 to 100 percent	Most excellent
2	Up to 15 percent work out of the	Excellent	2	From 65 to 79.99 percent	Excellent

	whole work is performed after the specified time				
3	Up to 30 percent work out of the whole work is performed after the specified time	Normal	3	From 50 to 64.99 percent	Normal
4	More than 30 percent work out of the whole work is performed after the specified time	Low	4	Less than 50 percent	Low
(a) Level, feedback or view of the concerned supervisor:					
Supervisor's signature:					
Name:					
Post:					
Employee code:					
Date:					
(b) View and comment of the concerned employee:					

Note:

- (1) The concerned civil employee shall fill the actual details up to columns 1, 2, 3 and 4 of the above form for the second semi-annual evaluation and register it with the concerned office for the purpose of submitting it to the supervisor within the Seventh day of the month of *Magha* every year.
- (2) A minimum of Five works have to be mentioned in the description of the works performed.

- (3) Works mentioned have to correspond to the objectives of the organization and the job description of the post.
- (4) For any work of which annual target cannot be specified at the beginning, the works performed throughout the year shall be considered to be the annual target.
- (5) The supervisor shall make evaluation of the semi-annual evaluation form submitted to him or her within Seven days and provide a copy of the evaluation form to the concerned civil employee.
- (6) If it is not possible to evaluate the time, evaluation shall be made by making analysis also on the basis of the overall quantity achieved. If description cannot be accommodated in any column, it shall be set forth in a separate sheet and certified and attached.
- (7) Evaluation shall be made by writing the marks in the column specified for the purpose of giving marks.

Part-B

**Format of annual work performance evaluation form of
gazetted civil employees**

Period of evaluation: Financial year:.....From the month of *Shrwan* to the
last day of the month of *Ashadh*

Office where details are submitted to: Registration No.: Date:

Name of employee: Code of employee

Post and Class:

Service:

Group or Sub-group:

Name of the Office presently in service:

Date of appointment to the current post:

Offices transferred to during this period of evaluation (Serially):

Date of submission to the supervisor:

To be filled in by employee					
Performed works (of which goals/targets specified and not specified) (1)	Work performance indicator (2)			Progress of work discharged according to work performance indicator (3)	In the event of non-performance of work, reason for the same (4)
	Unit (mention quantity, cost and time, to the extent	Semi-annual targets	Annual targets		

	possible)				
--	-----------	--	--	--	--

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Works as per the job description and annual programme					
(a)					
(b)					
(c)					
(d)					
(e)					
Other works performed at one's own initiative					
(a)					
(b)					
		100 percent	100 percent	Average percent	

Signature of the employee:

Date:

Criteria for measurement of time taken in performance of work			Criteria for measurement of progress of work performance		
1	Work performed in or prior to the specified time	Most excellent	1	From 80 to 100 percent	Most excellent
2	Up to 15 percent work out of the whole work is performed after the specified time	Excellent	2	From 65 to 79.99 percent	Excellent
3	Up to 30 percent work out of the whole work is performed after the specified time	Normal	3	From 50 to 64.99 percent	Normal
4	More than 30 percent work out of the whole work is performed after the specified time	Low	4	Less than 50 percent	Low

Note:

- (1) The concerned employee shall fill the actual details up to columns 1, 2, 3 and 4 of the above form for the annual evaluation and register it with his or her office for the purpose of submitting it to the supervisor within the Seventh day of the month of *Shrawan* every year.
- (2) A minimum of Five works have to be mentioned in the description of the works performed.

- (3) Works mentioned have to correspond to the objectives of the organization and the job description of the post.
- (4) For any work of which annual target cannot be specified at the beginning, the works performed throughout the year shall be considered to be the annual target.

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Evaluation by supervisor and reviewer

Date of submission to the supervisor:

Date of submission to the reviewer:

Standard of work performance (on the basis of job description)	Evaluation of supervisor					Evaluation of Reviewer			
	Standard	Most excellent	Excellent	Normal	Low	Most excellent	Excellent	Normal	Low
	Marks	6.25	5.25	4.25	3.25	2.5	2	1.5	1
1. Overall quantity of work performed.									
2. Overall cost of work performed.									
3. Overall time of work performed									
4. Overall quality of work performed									
Total:	25				10				
	Total marks obtained: in figure....in words					Total marks obtained: in figure....in words			
Reason to be set out for giving more than 95 percent and less than 75 percent marks.	Name of Supervisor: Post: Employee code: Signature: Date:					Name of Reviewer: Post: Employee code: Signature: Date: Remarks:			

If it is not possible to evaluate the time, evaluation shall be made by making analysis also on the basis of the overall quantity achieved. If description cannot be accommodated in any column, it shall be set forth in a separate sheet and certified and attached. The supervisor and the reviewer shall make evaluation, on the grounds specified in Section 24A. of the Civil Service Act and Rule 78

of the Civil Service Regulation and submit the forms to the reviewer or review committee within the period as referred to in Rule 78B. of the Civil Service Regulation. Reason is to be set out clearly for giving more than Ninety Five percent and less than Seventy Five percent marks pursuant to Sub-rule (7) of Section 24A. of the Civil Service Act. The Competent Authority shall take departmental action against the evaluator who uses tipex over the marks obtained.

Note:

- (1) The supervisor shall, based on the semi-annual evaluation forms filled by the civil employee, evaluate the annual work performance evaluation form of the gazette civil employee and so submit that the reviewer receives it within the month of *Shrwan*.
- (2) The reviewer shall evaluate the annual work performance evaluation form of the employee submitted to him or her and so submit that the review committee receives it within the Fifteenth day of the month of *Bhadra*.
- (3) Reason is to be set out clearly for giving more than 95 percent and less than 75 percent marks by the supervisor or reviewer for the work performance evaluation to be made annually; and where less than 75 marks are given, information thereof shall be given to the concerned civil employee, and if the employee makes any comments, the form shall be accompanied also by such comments and submitted to the review committee.

Part-C

Evaluation by the review committee

Date of submission to the review committee:

To give the mark of the same level if agreed with the evaluation made by the supervisor and the reviewer, and in the other cases, to make evaluation by setting out remarks:

Name of employee:

Post:

Class:

Personal quality and conduct	Standard	Most excellent	Excellent	Normal	Low
	Marks	1	0.75	0.50	0.25
(a) For gazetted first class civil employees					
(1) Ability to analyze policy					
(2) Ability to discuss and negotiate.					
(3) Ability to use wisdom, make decision and evaluation					
(4) Leadership and organizational capacity Ability					
(5) Professional sensitivity (Honesty, secrecy etc.)					
Full marks: 5	Marks obtained:		In figures:	In words:	
(b) For gazetted second class	Standard	Most	Excellent	Normal	Low

civil employees		excellen t			
	Marks	1	0.75	0.50	0.25
(1) Knowledge of subject matter and skills					
(2) Ability to use wisdom and make decision					
(3) Capacity to bear work pressure					
(4) Creativeness and initiation					
(5) Effective use of means and resources					
Full marks: 5	Marks obtained:	In figures:	In words:		
(c) For gazetted third class civil employees	Standard	Most excellen t	Excellen t	Normal	Low
	Marks	1	0.75	0.50	0.25
(1) Knowledge of subject matter and skills					
(2) Ability to use wisdom and make decision					
(3) Capacity to bear work pressure					
(4) Creativeness and initiation					
(5) Professional sensitivity (secrecy and decency)					
Full marks: 5	Marks obtained:	In figures:	In words:		

Review committee officials':

Name Post Employee code Signature Total marks obtained

1. In figure:

2. In words:

3.

Note:

- (1) The review committee shall evaluate the work performance evaluation forms so received by the committee and forward them to the Public Service Commission and the secretariat of the promotion committee within the last day of the month of *Bhadra*.
- (2) If the review committee is to give more than Ninety Five percent and less than Seventy Five percent marks to any civil employee for the work performance evaluation, clear reasons shall be assigned for the same. The Competent Authority shall take departmental action against the evaluator who uses tipex over the marks obtained.

Schedule -16

(Relating to Sub-rule (2) of Rule 80)

Details of geographical regions

"Category A"

1. Taplejung of Mechi Zone
2. All area of Sankhuwasaba of Sagarmatha Zone except southern area including Num.
3. Solukhumbu of Sagarmatha Zone
4. Janakpur Zone, Lamabagar and Rolwaling area of Dolkha District
5. Bagmati Zone, Singhar area north to Setibas of Dhading District
6. Manang and Larke area north to Sridibas of Gorkha District
7. Mustang District other than southern area from Tukuiche and Dhorpatan area of northern Baglung of Dhawalagiri Zone
8. Rolpa and Rukum of Rapti Zone
9. Humla, Jumla, Mugu, Kalikot and Dolpa of Karnali zone
10. Jajarkot of Bheri Zone
11. Bajhang and Bajura of Seti Zone
12. Darchula of Mahakali Zone

"Category B"

1. Panchthar of Mechi Zone

2. Bhojpur, Terathum and southern area of Sankhuwasabha including Num.
3. Okhaldhunga and Khotang of Sagarmatha Zone
4. Janakpur Zone, remaining area of Dolkha District except, Lamabagar and Rolwaling area, Ramechhap
5. North area than Ramchhe of Rasuwa District of Bagmati Zone
6. North area to Khudi of Lamjung of Gandaki Zone
7. Aarghakhanchi and Gulmi of Lumbini Zone
8. Southern area of Myagdi, Parbat, Mustang District from Tukuche and Dhorpatan area of northern Baglung and Ratamate Village located at Tara Gaun Village Development Committee of Baglung District situated at south of Niskot Hill of Myagdi District and Baglung District other than eastern part of north-south latitude of Gulmi District.
9. Salyan and Pyuthan of Rapati Zone
10. Doti and Aacham of Seti Zone
11. Dadeldhura and Baitadi of Mahakali Zone
12. Dailekh of Bheri Zone

"Category C"

1. Ilam of Mechi Zone
2. Dhankuta of Koshi zone
3. Udayapur of Sagarmatha Zone
4. Sindhuli of Janakpur Zone

5. Sindhupalchowk and remaining areas of Dhading District other than Singher area of north of Setibas and south area including Ramchhe of Rasuwa District of Bagmati Zone.
6. Tanahun, Syangja and remaining Gorkha other than north area of Lakre of Sirdibas and remaining part other than northern area of Khudi of Lamjung District of Gandaki Zone
7. Palpa District Lumbini Zone
8. Remaining part of Baglung District located at east of north south latitude touching Gulmi District extending from Ratamata Village located at Tara Village Development Committee, Baglung District, situated at south from Niskot hill of Myagdi District.
9. Dang of Rapati Zone
10. Bardiya and Surkhet of Bheri Zone
11. Kailali of Seti Zone
12. Kanchanpur of Mahakali Zone

"Category D"

1. Jhapa of Mechi Zone
2. Morang and Sunsari of Mechi Zone
3. Saptari and Siraha of Sagarmatha Zone
4. Dhanusha, Mahottari and Sarlahi of Janakpur Zone
5. Nuwakot and Kavrepalanchowk of Bagmati Zone
6. Bara, Parsa, Rautahat, Chitwan and Makawanpur of Narayani Zone

7. Kaski of Gandaki Zone
8. Rupandehi, Nawalparasi and Kapilvastu of Lumbini zone
9. Banke of Bheri Zone.
- 10.³⁵⁴ Kathmandu, Bhaktapur and Patan of Bagmati Zone

"Category E"³⁵⁵

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³⁵⁴ Amended by Seventh Amendment.

³⁵⁵ Deleted by Seventh Amendment.

Schedule- 17

(Relating to Sub-rule (1) of the Rule 112)

Format of Decision of the Departmental Punishment

Form of punishment order decision

Made by Mr./Ms..... ..of ...
... .. Office/Department/Ministry /Commission/ Secretariat

While conducting an enquiry/causing to conduct an enquiry by Mr.
... ..(employee code number)³⁵⁶..., working in the post of
... ..in theOffice/Department/Ministry
/Commission/ Secretariat, clarification submitted by him or her in respect of
the clarification demanding to produce within days has been given to Mr.
... .. to submit defense in accordance with Sub-section (1) of
Section 66 of the Civil Service Act, 2049 (----), the statement of defense,
proof and evidence submitted by him or her have not been found satisfactory
due to reasons. Therefore, a clarification has been demanded in
accordance with Section ----of the Act stating that why should not be taken an
action to offence in accordance with clause of
Section ---of the Act, days have been given to furnish proof, evidence
or any other reasons for not taking an action, it has been found that he has
submitted a clarification stating In this connection, the
documents, proof and evidence collected and also considering the submitted
clarification, it has been found from proof and evidence that Mr.
... .. has committed the offence in accordance with sub-section
... .. of section of the Act, hence,
offence in accordance with Clause of the Section 59 of the Act has
been proposed and as per the advice of office of the

³⁵⁶ Amended by Seventh Amendment.

Public Service Commission in accordance with clause of clause (---) of Section 59 of the Act, therefore, the order of decision of punishment has been made in accordance with Clause (--) of Section 71 of the Act against Mr./Ms.... ..

In case of dissatisfaction with this order, an appeal may be to within the time limit as referred to in Clause (d) of Rule 114.

Signature:

Date:

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Schedule-17A³⁵⁷

(Relating to Sub-rule (1) of Rule 101)

Pension Requisition Form

To,

The Director General,

Civil Employees Record Office.

Whereas, I am going to retire/have retired from the civil service for the following reason from date.....,

Now, therefore, I have set out the details relating to my service and necessary details as follows:

To mention the reason for retirement, mention the mark(×)

(a) Retirement from age limit:

(b)

(c)

I have served for Twenty years or more pursuant to Section 37(1) of the Civil Service Act, 2049(....). I have, therefore, filled up and sent this form for the preparation of the pension authorization.

1. Name, surname:

1A.³⁵⁸ Employee code number:

2. Permanent address (district, VDC/Municipality, as well):

³⁵⁷ Inserted by Second Amendment.

³⁵⁸ Inserted by Seventh Amendment.

3. Age to complete on the date of retirement: YearMonth.....Day
4. Designation on the date of retirement:
5. Office in service when retired:
6. Office of initial recruitment and date of recruitment:
7. Testamentary heir's:
 - (a) Name, surname:
 - (b) Address (district, VDC/Municipality, as well):
 - (c) Relation (set out relationship):

Address where the letter of authorization is to be sent by the Civil Employees
Record Office:

Signature:

Date:

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Schedule-17B³⁵⁹

(Relating to Sub-rule (3b) of Rule 116)

Format of certificate to be given to recipient of civil service award

Government of Nepal

(Crest)

Mr./Ms.....

.....

The Government of Nepal has awardedmost excellent/excellent/civil service award of financial year.....for having performed..... in the post of..... of the Civil Service of the Government of Nepal.

The Government of Nepal expects special contribution from you even in the future.

.....

.....

.....

Secretary

Chief Secretary

Minister

Min of General Admin

Government of Nepal

/Minister of State

General Admin

³⁵⁹ Inserted by Seventh Amendment.

Schedule-17C³⁶⁰

(Relating to Sub-rule (1) of Rule 117A)

Format of application to be made for the registration of trade union of civil service

To,

The Department of Labor and Employment Promotion.

Whereas, the executive committee has authorized me to register the trade union of civil employees pursuant to Clause (b) of Sub-section (2) of Section 53 of the Civil Service Act, 2049 (...);

Now, therefore, I have made this application, accompanied also by the documents set forth in Sub-rule (3) of Rule 117A. of the Civil Service Regulation, 2050(...), for the registration of the trade union of civil employees.

Sincerely,

(On behalf of ...trade union)

³⁶⁰ Inserted by Seventh Amendment.

Schedule-18

(Relating to Rule 118)

Statement of Property Form

Employee's name and code number³⁶¹:

Name:

Office where to statement is submitted:

Class and post :

Office:

Name:

Address:

(a) Immovable property (house, land)

SN	Brief details of house, land and other immovable properties	Measure ment and other details	Address where the house and land are located (Village, Municipality, District)	Name of owner under whose ownership it is, and in case of others, state relationship with him or her	How property was obtained	Remarks (in the case of house, storey is also to be mentioned) (in the case of land, area or measurement (<i>Ropani</i> or other) is to be mentioned)

³⁶¹ Amended by Seventh Amendment.

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(b) Cash, jewels, gold, silver etc.

SN	Brief details of the properties	Measurement, weight and quantity	How the property was obtained	Remarks

(c) Statement of Shares and the Bank Balance

SN	Brief details of properties	Name and address of the company or bank	Total value	Name of owner under whose ownership the property is, and in case of others, state relationship with him or her	How the property was obtained	Remarks

(d) Details of loan / mortgage borrowed and given

SN	Details of loan / mortgage	Name and address of lender /borrower	Reasons	Total value	Term for repayment	Remarks

(e) Details of loan or mortgage, if any lent or undertaken:

SN	Details of loan/ mortgage	Name and address of borrower or mortgagee	Reasons	Total value	Term for repayment	Remarks

I hereby sign covenanting that the above-mentioned details are true and correct to the best of my knowledge and information.

Name and post:

Date:

Note :

1. In cases where the property is increased or decreased after submission of this statement, such details have to be submitted in a sealed envelope to the concerned body.
2. This statement shall not be used for other purposes except for legal proceedings to be undertaken as per law against the government employee. No person other than the concerned official shall be allowed to see this Statement. This Statement shall be maintained as confidential without publication.

Schedule- 19³⁶²

(Relating to sub-rule (2) of Rule 120A.)

Format of identify card of civil employee

Front

Government of Nepal

(Crest)

Photograph

Name:

Designation:

Citizenship number:

Blood group:

Code number:

Reverse

Certifying official's signature:

Employee's signature:

Designation:

Name:

Designation:

Office:

³⁶² Amended by Seventh Amendment.

Note:

- (1) The employee identity card's length shall be 9 cm and breadth 5.5 cm.
- (2) The employee identity card shall be in white paper.
- (3) On the front side of the employee identity card, the words "Government of Nepal" shall be written in 12 font letters, the name of the concerned office in 14 font letters, the name of employee in 18 font letters, and designation and citizenship number below the designation in 16 font letters.
- (4) The crest of the Government of Nepal shall be printed in red on the upper part of the front side of the employee identity card, and an auto size photo shall be glued on the lower part in the right hand side.
- (5) Code number shall be written in 14 font letters on the lower part of the reverse side of the identity card, and below it shall be the signature of the certifying official on the right hand side and employee's signature on the left hand side.
- (6) There shall be written the name of employee, name of office and designation of employee in 14 font letters on the lower part in the reverse side of the identity card.
- (7) There shall be written a notice in 12 fonts in the rest part of the reverse side of the identity card that "if any one finds this identity care, one is requested to hand over it to the concerned Office, District Administration Office or Police Office".
- (8) The offices under a Ministry and Department shall mention only the name of their respective offices.

- (9) The Chief of Office or the officer responsible for personnel administration, as authorized by him or her, shall certify the identity card.
- (10) The employee identity card shall be put in a plastic (transparent) cover and be put on in such a manner as to fall one *Bitta* lower in the left chest and as to be clearly conspicuous to other persons.
- (11) In distributing the employee identity cards, they shall be distributed at the expense of the concerned office for the first, and if another card is to be obtained because of loss or torn out, the employee shall obtain it at his or her own expense. The details of obtaining another identity card because of loss or torn out shall be recorded and amount received from him or her shall be credited to the revenue. Provided that if an employee is transferred, promoted or designated as acting, the concerned office itself shall provide the employee identity card.
- (12) The employees of all government and semi-government offices shall compulsorily put on the employee identity card while entering into and serving in the office, and use it in other places as per necessity.
- (13) The concerned Chief of Office shall be responsible for using and causing to be used the employee identity card. The Chief of Office may not allow any employee who does not so put on the employee identity card or does not obtain it to enter into the office or may take action against such employee to maintain discipline.
- (14) If any employee relieves of service, he or she shall immediately return his or her identity card to his or her office.